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**Calendar No. 229**

101st Congress
*1st Session*

SENATE

Report
101-121

# DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATION BILL, 1990

September 7 (legislative day September 6), 1989.—Ordered to be printed

Mr. Lautenberg, from the Committee on Appropriations, submitted the following

# REPORT

[To accompany H.R. 3015]

The Committee on Appropriations, to which was referred the bill (H.R. 3015) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1990, and for other purposes, reports to the Senate with various amendments, and presents herewith information relative to the changes recommended.

### AMOUNTS OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1990

| | |
|---|---|
| Amount of bill passed by the House | $11,972,399,569 |
| Amount of bill as reported to Senate | 11,937,504,569 |
| Amount of budget estimates, 1990 | 10,027,696,569 |
| Fiscal year 1989, enacted | 11,866,666,569 |

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## Total Obligational Authority Provided—General Funds and Trust Funds

In addition to the appropriation of $11,937,504,569 in new budget authority for fiscal year 1990, large amounts of contract authority are provided by law, the obligation limits for which are contained in the annual appropriations bill. The principal items in this category are the trust funded programs for Federal-aid highways, for the Mass Transit Capital Fund, and for airport development grants. For fiscal year 1990, estimated obligation limitations total $14,885,880,000.

### PROGRAM, PROJECT, AND ACTIVITY

During fiscal year 1990, for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177), as amended, with respect to appropriations contained in the accompanying bill, the terms "program, project, and activity" shall mean any item for which a dollar amount is contained in appropriations acts (including joint resolutions providing continuing appropriations) or accompanying reports of the House and Senate Committees on Appropriations, or accompanying conference reports and joint explanatory statements of the committee of conference. This definition shall apply to all programs for which new budget (obligational) authority is provided, as well as to discretionary grants, Urban Mass Transportation Administration, and interstate transfer grants-highways, Federal Highway Administration. In addition, the percentage reductions made pursuant to a sequestration order to funds appropriated for facilities and equipment, Federal Aviation Administration, and for acquisition, construction, and improvements, Coast Guard, shall be applied equally to each budget item that is listed under said accounts in the budget justifications submitted to the House and Senate Committees on Appropriations as modified by subsequent appropriations acts and accompanying committee reports, conference reports, or joint explanatory statements of the committee of conference

# TITLE I—DEPARTMENT OF TRANSPORTATION

## OFFICE OF THE SECRETARY

### SALARIES AND EXPENSES

| | |
|---|---|
| Appropriations, 1989 | $54,542,000 |
| Budget estimate, 1990 | 56,481,000 |
| House allowance | 54,857,000 |
| Committee recommendation | 56,470,000 |

Section 3 of the Department of Transportation Act of October 15, 1966 (Public Law 89–670) provides for establishment of the Office of the Secretary of Transportation [OST]. The Office of the Secretary is composed of the Secretary's immediate office, the Office of the General Counsel, and five assistant secretarial offices for policy and international affairs, budget and programs, governmental affairs, administration, and public affairs respectively. These secretarial offices have policy development and central supervisory and coordinating functions related to the overall planning and direction of the Department of Transportation, including staff assistance and general management supervision of the counterpart offices in the operating administrations of the Department.

The Minority Business Resource Center is also housed in OST. Its mission is to assist minority business firms in securing contracts on federally assisted transportation projects. In addition, the salaries, administrative expenses, and associated housekeeping costs of certain former Civil Aeronautics Board functions transferred to the Department of Transportation are funded here and in the "Payments to air carriers" appropriation.

The Committee recommends $56,470,000 for the salaries and expenses of the Office of the Secretary of Transportation. This is slightly below the estimate and $1,613,000 above the House allowance.

| Office | Budget request | House allowance | Committee recommendations |
|---|---|---|---|
| Immediate Office of the Secretary | $1,090,000 | $1,090,000 | $1,090,000 |
| (Staff-years) | (14) | (14) | (14) |
| Immediate Office of the Deputy Secretary | $521,000 | $470,000 | $521,000 |
| (Staff-years) | (10) | (9) | (10) |
| General Counsel | $6,120,000 | $6,250,000 | $6,120,000 |
| (Staff-years) | (97) | (100) | (100) |
| Policy and International Affairs [1] | $8,742,000 | $8,595,000 | $8,150,000 |
| (Staff-years) | (147) | (142) | (136) |
| Budget and Programs | $2,255,000 | $2,255,000 | $2,255,000 |
| (Staff-years) | (36) | (36) | (36) |
| Governmental Affairs | $2,309,000 | $2,300,000 | $2,309,000 |
| (Staff-years) | (44) | (44) | (44) |
| Administration | $25,889,000 | $24,700,000 | $25,885,000 |
| (Staff-years) | (170) | (168) | (170) |

| Office | Budget request | House allowance | Committee recommendations |
|---|---|---|---|
| Public Affairs | $1,472,000 | $1,290,000 | $1,420,000 |
| (Staff-years) | (28) | (25) | (25) |
| Executive Secretariat | $840,000 | $835,000 | $840,000 |
| (Staff-years) | (20) | (20) | (20) |
| Contract Appeals Board | $488,000 | $450,000 | $488,000 |
| (Staff-years) | (7) | (6) | (7) |
| Office of Civil Rights | $1,315,000 | $1,315,000 | $1,315,000 |
| (Staff-years) | (23) | (23) | (23) |
| Office of Commercial Space Transportation | $805,000 | $645,000 | $805,000 |
| (Staff-years) | (15) | (12) | (15) |
| Office of Small and Disadvantaged Business Utilization | $900,000 | $900,000 | $900,000 |
| (Staff-years) | (16) | (16) | (16) |
| Office of Essential Air Service [2] | $1,105,000 | $1,127,000 | $1,727,000 |
| (Staff-years) | (18) | (18) | (29) |
| Minority Business Resource Center | [1] $2,600,000 | $2,600,000 | $2,600,000 |
| Reception and representation allowance | $30,000 | $35,000 | $45,000 |
| Total [3] | $56,481,000 | $54,857,000 | $56,470,000 |
| (Staff-years) | (645) | (633) | (645) |

[1] Does not include $1,105,000 and 18 staff-years from proposed consolidation of essential air service.

[2] Proposed for consolidation into policy and international affairs; funded for one-third year.

[3] Proposed for consolidation into single salaries and expenses account.

The Committee takes strong exception to the proposed reduction proposed by the House for the Office of Essential Air Service. The House has recommended a reduction of $600,000 from the 1989 funding level and a reduction of 11 staff-years. These cuts are predicated on the House recommendation that the "Payments to air carriers" appropriations be reduced by 60 percent from its fiscal year 1989 funding level. The Committee has also rejected that recommendation.

### TRANSFER AUTHORITY

The Committee has included bill language which allows the Secretary to transfer funds between offices within the salaries and expenses appropriation up to a maximum of 5 percent of the total amount provided for each office. The House recommended individual appropriations for each of the offices and transfer authority of up to 4 percent.

### ADVISORY COMMITTEE CAP

The Committee has included bill language which would limit the total amount to be spent for advisory committees to $1,500,000. This is $1,200,000 more than the amount provided in fiscal year 1989. The increase is necessary to provide sufficient funding for the President's Commission on Aviation Security and Terrorism. This Commission was established by Executive Order 12686, on August 4, 1989, in response to the destruction of Pan American World Airways flight 103, on December 21, 1988.

### POLITICAL APPOINTEE ASSIGNMENTS

The Committee is concerned about the recent problems at the Department of Housing and Urban Development and the charges of political influence in the administration of discretionary grant programs and the arbitrary waiver of departmental policies and rules governing grants management.

The Committee understands that in light of the HUD situation, the Department is undertaking a thorough review and will take corresponding actions as needed to ensure that all of its programs are carried out with the necessary controls and oversight to protect against favoritism and abuse. The Committee strongly endorses such actions, especially with regard to discretionary grants, and encourages the Department to take particular steps, as required, to ensure that individual regions are in compliance with departmental policy. The Committee directs the Secretary to report to the House and Senate Committees on the steps taken by March 1, 1990.

In addition, the Committee has included bill language, which has been included in previous years, which limits the total number of political and Presidential appointees in the Department of Transportation to 120.

## TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

| | |
|---|---|
| Appropriations, 1989 | $5,600,000 |
| Budget estimate, 1990 | 8,126,000 |
| House allowance | 6,200,000 |
| Committee recommendation | 8,000,000 |

The Office of the Secretary performs those research activities and studies which can more effectively or appropriately be conducted at the departmental level. This research effort supports the planning, analysis, and information development needed to assist the Secretary in the formulation of national transportation policies. The program is carried out primarily through contracts with other Federal agencies, educational institutions, nonprofit research organizations, and private firms. The University Research Program, transferred back to the OST in fiscal year 1985, provides assistance to colleges, universities, and their students to conduct research in the field of transportation. Special emphasis is placed on assisting historically black colleges and universities to take part in transportation research and on aiding minority students in preparing for careers in transportation. This appropriation also includes the Commercial Space Transportation Program which supports the mission of licensing and promoting commercial space launches.

The Committee has provided $8,000,000 for activities within this account. This is $2,400,000 above that provided in fiscal year 1989 and is $1,800,000 above the House allowance. At the Committee's recommended level, there is approximately $4,200,000 for policy and planning, $265,000 for university research and $3,535,000 for commercial space transportation.

### NATIONAL BICYCLE PROGRAM MANAGER

The Committee notes the substantial growth in the popularity of bicycling, both as a means of transportation and recreation, in recent years. It is estimated that more than one-half of all adults bicycled during the last 12 months, and more than 2.5 million people commute to work by bicycle. In light of this trend the Committee directs the Department of Transportation to review its current staffing levels devoted to bicycling at both the Federal and local level. The Committee recommends that at least one full-time staff person be appointed to oversee a National Bicycle Program. This program manager would coordinate the Secretary of Transportation's efforts with FHWA, NHTSA, and UMTA to develop a national plan for the promotion of bicycle ridership and safety.

### SLEEP RESEARCH

Based on the report prepared by the Office of the Secretary on transportation-related sleep research, it appears that additional research in the area of sleep- and fatigue-related transportation accidents is needed. The Committee believes that a multimodal effort is necessary so that additional research might have the greatest safety effect.

### ELECTRONIC INTERNATIONAL TARIFF FILING SYSTEM

In previous years funds have been provided to develop an electronic international tariff filing system to replace an inefficient manual operation. Funds were also provided to expedite development of that system in anticipation of explosive growth of international filings. The Committee understands that the system is in operational testing and can become operational in the very near future. The Committee directs that the Department allocate a minimum of $400,000 to complete the operational testing and implement operation of the system.

### GENERAL PROVISION

The Committee has included bill language which directs the Department to study the effect on consumers of State regulation of the rates, routes, and services of the express package industry and make recommendations to Congress.

## WORKING CAPITAL FUND

| | |
|---|---|
| Appropriations, 1989 | $3,200,000 |
| (Limitation) | (130,350,000) |
| Budget estimate, 1990 | 6,150,000 |
| (Limitation) | (144,400,000) |
| House allowance | 4,500,000 |
| (Limitation) | (131,000,000) |
| Committee recommendation | 4,500,000 |
| (Limitation) | (144,400,000) |

The working capital fund [WCF] provides for centralized financing of certain common administrative services (for example, publishing and graphics and computer services) in the interest of economy and efficiency. The fund is reimbursed from the appropriations of the operating agencies of the Department at rates that recover all operating expenses in full.

The bill includes a limitation on the WCF of $144,400,000. This is the same as the budget request and is $13,400,000 more than the House allowance. It is an increase of $14,050,000 over the fiscal year 1989 limitation.

The appropriation of $4,500,000 is recommended to allow for continued work on the departmentwide accounting and financial information system.

## PAYMENTS TO AIR CARRIERS

| | |
|---|---|
| Appropriations, 1989 | $31,600,000 |
| Budget estimate, 1990 | |
| House allowance | 12,400,000 |
| Committee recommendation | 35,530,000 |

The Secretary of Transportation administers the section 419 Subsidy Program, which was created as part of the Airline Deregulation Act of 1978. Subsidy under this program is paid to airlines, primarily commuter carriers, to support the provision of essential air service to points that would not be served but for the subsidy. No funds were requested in the budget.

The Committee recommends $35,530,000 for fiscal year 1990 payments to air carriers, which is $23,130,000 more than the House allowance.

The amount provided reflects the latest DOT current services estimate for the program.

*Fiscal year 1990 projection of carriers receiving long-term section 419 compensation and the communities served*

| *Carriers and communities served* | *Estimated annual compensation* [1] |
|---|---|
| Air LA: Blythe, CA | $354,336 |
| Air Midwest: Dodge City, Garden City, Goodland, Great Bend, Hays, KS; Lamar, CO; Fort Leonard Wood, MO; Liberal, KS/Guymon, OK | 1,879,201 |
| Alaska Airlines: Cordova, Gustavus, Petersburg, Wrangell, Yakutat, AK | 1,263,814 |
| Aleutian Air: Nikolski, AK | 39,570 |
| Alpine Aviation: Moab, UT | 172,930 |
| Bemidji Airlines: Mankato, Worthington, MN | 359,199 |
| Big Sky Airlines: Glasgow, Glendive, Havre, Lewistown, Miles City, Sidney, Wolf Point, MT; Williston, ND | 1,612,106 |
| Brockway Air: Massena, Ogdensburg, Plattsburgh, Saranac Lake/Lake Placid, Watertown, NY | 831,445 |
| CCAir: Athens, GA; Danville, VA; Winston-Salem, NC; Rocky Mount/Wilson, NC; Beckley, Princeton/Bluefield, WV | [2] 544,190 |
| Chitina Air Service: Boswell Bay, Cape Yakataga, Icy Bay, AK | 98,217 |
| Continental/Air Micronesia: Rota, Northern Marianas | 430,410 |
| Crown Airways: Oil City/Franklin, PA | 128,504 |
| Executive Air Charter: Ponce, PR | 265,058 |
| Exec Express II: El Dorado/Camden, Harrison, Hot Springs, and Jonesboro, AR; Enid, Ponca City, OK; Brownwood, TX; McAlester, OK; Paris, TX; Temple, TX | 3,487,150 |
| 40-Mile Air: Central and Circle, AK; Chisana, AK | 54,827 |
| GCS Air Service: Mansfield, OH | 383,527 |
| Golden Pacific Airlines: Kingman, AZ; Winslow, AZ | [3] 500,638 |
| GP Express Airlines: Hastings, Kearney, McCook, Alliance, Chadron, Sidney, Grand Island, North Platte, and Scottsbluff, NE | 2,342,781 |
| Great Lakes Aviation: Fairmont, MN; Ironwood, MI/Ashland, WI and Iron Mountain/Kingsford, MI; Manistee/Ludington, MI; Manitowoc, WI; Marinette, WI/Menominee, MI; Ottumwa, IA | 1,972,641 |
| Harbor Air Service: Seward, AK | 53,331 |
| Hermens/MarkAir Express: Lazy Bay/Alitak, Amook Bay, Kitoi Bay, Moser Bay, Olga Bay, Parks/Uyak, Port Bailey, Port Williams, San Juan/Uganik, Seal Bay, Terror Bay, West Point and Zachar Bay, AK | 181,021 |
| Horizon Air: Ephrata/Moses Lake, WA; Salem, OR | 278,041 |
| Iowa Airways: Benton Harbor/St. Joseph, MI; and Elkhart, IN | 499,181 |

*Fiscal year 1990 projection of carriers receiving long-term section 419 compensation and the communities served—Continued*

| *Carriers and communities served* | *Estimated annual compensation* [1] |
|---|---|
| Mesa Airlines: Cortez, CO; Clovis, Alamogordo/Hollomon AFB, NM; Hobbs, NM; Santa Fe, NM; Silver City/Hurley/Deming, NM/Worland, WY | 1,177,676 |
| Mesaba Aviation: Brookings, Huron, Mitchell, SD; Devils Lake, Jamestown, ND | 915,605 |
| Midcontinent Airlines: Columbus, Norfolk, NE; Yankton, SD; Kirksville, MO | 889,873 |
| MST Aviation: Battle Creek, Jackson, MI | [4] 540,787 |
| Peninsula Airways: Atka, AK; St. George, AK | 481,020 |
| Precision Airlines: Montpelier/Barre, VT | [3] 235,371 |
| Presidential Express: Clarksburg/Fairmont, Morgantown, Elkins, WV; Hot Springs, VA | 670,772 |
| Prime Air: Clarksville, TN/Fort Campbell/Hopkinsville, KY; Mount Vernon, IL | [3] 615,543 |
| Propheter Aviation: Clinton, IA; Sterling/Rock Falls, IL | 451,719 |
| Rocky Mountain Airways: Pierre, SD | 371,165 |
| SkyWest Airlines: Cedar City, UT; Page, AZ; Ely, NV; Vernal, UT | 907,900 |
| Sportsman Flying Service: May Creek, McCarthy, AK | 18,227 |
| Valley Airlines: Laconia, NH | 249,786 |
| WestAir Airlines: Crescent City, CA; Merced, CA | 465,181 |
| Expected subsidy rate adjustments in fiscal year 1990 | [5] 3,677,257 |

[1] Estimated annual compensation reflects rates negotiated as of July 26, 1989.

[2] Although service at Athens and Winston-Salem is not currently subsidized, this rate reflects a renegotiated rate for CCAir that would presume allocations of subsidy for these two points and reduced amounts for the remaining four points.

[3] Although the carrier listed here no longer serves the subject community(ies), the subsidy amount noted here represents a reasonable estimate of the amount that would be required to support EAS in fiscal year 1990.

[4] Although MST has not begun service at Battle Creek and Jackson, this is the amount it would receive if service were inaugurated.

[5] Although the above subsidy rate estimates reflect rates renegotiated by July 26, 1989, a number of other rates expired or will expire during fiscal year 1989 that have not been renegotiated. Furthermore, some current rates are scheduled to expire during fiscal year 1990. This allotment is intended to ensure sufficient budget authorization to fund these two sets of circumstances requiring future subsidy rate negotiations.

*Projected final hold-in rates, accrued by September 30, 1990*

| | *Estimated annual compensation* [1] |
|---|---|
| Estimated fiscal year 1990 (All communities at which carriers would be held in) | $5,130,000 |
| Total (Current program) | [2] 34,530,000 |

[1] Estimated annual compensation reflects rates negotiated as of July 26, 1989.

[2] This estimate reflects the congressional amendment which curtails the subsidization of essential air service at communities at which subsidy per passenger is over $300—Hutchinson and Parsons/Independence/Coffeyville, KS; Kokomo, IN; Beloit/Janesville, WI; Lewiston/Auburn, ME; and Moultrie/Thomasville, GA.

*Annual cost of higher service levels under expanded EAS requirements* [1]

| *New basic requirements* | *Estimated annual compensation* [2] |
|---|---|
| Larger minimum aircraft size | $2,800,000 |
| Pressurized aircraft | 1,700,000 |
| Reduction of intermediate stops | 2,600,000 |
| Load factor-related service increases | 900,000 |
| Changes in hubs | 1,500,000 |

*Annual cost of higher service levels under expanded EAS requirements* [1]*—Continued*

| *New basic requirements* | *Estimated annual compensation* [2] |
|---|---|
| Increased hold-in compensation/emphasis on code-sharing arrangements | 2,500,000 |
| Subtotal | 12,000,000 |
| Total (Expanded program) | 46,530,000 |

[1] Estimated annual compensation reflects rates negotiated as of July 26, 1989.

[2] Since the estimate of higher service level costs represent a full year of such service, and since the expanded service levels authorized by Public Law 100-223 could not be implemented in full by the beginning of fiscal year 1990, the estimate of annual compensation noted above would also be sufficient to fund enhanced service and service to new points.

Under the original House position, the "Payments to air carriers" appropriation would have cut service to 62 of the 110 communities in the continental United States that received service in fiscal year 1989. The original proposal restricted payments to only those communities that were more than 100 miles away from an alternative service airport; or whose subsidy per passenger was $25 or less. Communities in the State of Alaska or the Commonwealth of the Northern Marianas were exempt from the program restrictions proposed by the House.

The Committee has provided the resources necessary to fund the program at a current services level as estimated by the Department, including a small amount of funds for new points that are willing to provide a local match. The Committee has not included the funding estimated necessary for higher service levels. The Committee views as highest priority, the provision of sufficient funding to continue the basic EAS program so that supplemental funding is not required as it was in fiscal year 1989. Since the reauthorization of EAS in 1987, no service upgrades, enhanced service, or service to new points has been provided. In view of overall budget constraints, it is difficult to justify expansion or enhancements at this time.

Depending on how the Department, through a rulemaking, would implement a program under the House's reduced funding level, a number of cities could possibly lose service. Under the House's original proposal the following points would have lost service.

| *State* | *Communities* |
|---|---|
| Alabama | Anniston, Gadsden. |
| Arizona | Kingman, Winslow. |
| Arkansas | El Dorado/Camden, Hot Springs, Harrison, Jonesboro. |
| California | Crescent City. |
| Colorado | Alamosa. |
| Georgia | Athens, Moultrie/Thomasville. |
| Illinois | Mount Vernon, Sterling/Rock Falls. |
| Indiana | Elkhart, Kokomo. |
| Iowa | Clinton, Ottumwa. |
| Kansas | Great Bend, Hays, Hutchinson, Parsons/Independence, Coffeyville. |
| Maine | Lewiston/Auburn. |
| Massachusetts | New Bedford. |
| Michigan | Benton Harbor, Ironwood/Ashland, Manistee/Ludington, Menominee/Marinette, Jackson. |
| Minnesota | Fairmont, Mankato, Worthington. |
| Mississippi | Laurel/Hattiesburg. |

| *State* | *Communities* |
|---|---|
| Missouri | Kirksville. |
| Nebraska | Alliance, Columbus, Grand Island, Hastings, Kearney, McCook, Sidney. |
| New Hampshire | Laconia. |
| New Mexico | Alamogordo, Silver City. |
| North Dakota | Devils Lake, Jamestown. |
| Ohio | Mansfield. |
| Oklahoma | Enid, McAlester, Ponca City. |
| Oregon | Salem. |
| Puerto Rico | Ponce. |
| South Dakota | Brookings, Mitchell, Yankton. |
| Tennessee | Clarksville. |
| Texas | Brownwood, Paris, Temple. |
| Vermont | Montpelier/Barre. |
| Virginia | Hot Springs. |
| West Virginia | Clarksburg/Fairmont, Elkins. |
| Wisconsin | Beloit, Manitowoc. |
| Wyoming | Worland. |

## COMMISSION ON AVIATION SECURITY AND TERRORISM

| | |
|---|---|
| Appropriations, 1989 | |
| Budget estimate, 1990 | |
| House allowance | |
| Committee recommendation | $1,200,000 |

Funding in the amount of $1,200,000 is required to meet expenses of the President's Commission on Aviation Security and Terrorism established by Executive Order 12686, August 4, 1989. The Commission will review and evaluate policy options in connection with aviation security, with particular emphasis on the destruction, on December 21, 1988, of Pan Am flight 103. The Commission will consist of seven members appointed by the President. Two members shall be Senators; two shall be Members of the House of Representatives; and three members shall be private citizens.

The Commission will conduct a comprehensive study and appraisal of practices and policy options with respect to preventing terrorist acts involving aviation, and evaluate the adequacy of existing procedures for aviation security, including compliance and enforcement. In addition, the Commission will investigate practices, policies, and laws with respect to the treatment of families of victims of terrorist acts. Under the Executive order the Commission will submit within 6 months a report to the President that contains findings and recommendations. The Commission will terminate 30 days after the report is submitted.

The Commission will adhere to the requirements of the Federal Advisory Committee Act, as amended (5 U.S.C. App. 2). The Executive order states that the Department of Transportation, subject to the availability of appropriation, will provide the necessary support for the Commission.

The funding supports logistics and operating costs of the Commission (for example, rental of office space, communications, office equipment and supplies), salaries and related expenses of support staff and three Commission members from the private sector, domestic and international travel related to the duties of the Commission, and necessary contractual services.

## COAST GUARD

### SUMMARY OF FISCAL YEAR 1990 PROGRAM

The U.S. Coast Guard, as it is known today, was established on January 28, 1915, through the merger of the Revenue Cutter Service and the Lifesaving Service. In 1939, the U.S. Lighthouse Service was transferred to the Coast Guard, followed by the Bureau of Marine Inspection and Navigation in 1942. The Coast Guard has as its primary responsibilities the enforcement of all applicable Federal laws on the high seas and waters subject to the jurisdiction of the United States; promotion of safety of life and property at sea; assistance to navigation; protection of the marine environment; and maintenance of a state of readiness to function as a specialized service in the Navy in time of war (14 U.S.C. 1, 2).

The Committee recommends a total program level of $3,256,930,000 for the activities of the Coast Guard in fiscal year 1990. The following table summarizes the Committee's recommendations:

[In thousands of dollars]

| Program | Fiscal year 1989 level | Budget request | House allowance | Committee recommendations |
|---|---|---|---|---|
| Operating expenses | [1] 1,911,883 | 2,252,200 | [5] 1,952,000 | [6] 1,952,000 |
| Acquisition, construction, and improvements | [2] 385,500 | 682,300 | 423,800 | 455,200 |
| Alteration of bridges | [3] 13,500 | 2,330 | 2,330 | 2,330 |
| Retired pay | 410,800 | 420,800 | 420,800 | 420,800 |
| Reserve training | 67,000 | 73,800 | 71,800 | 73,800 |
| Research, development, test, and evaluation | 18,800 | 19,000 | 18,800 | 22,800 |
| Boat safety | [4] 30,000 | 15,000 | 30,000 | 30,000 |
| Total | 2,837,483 | 3,465,430 | [7] 2,919,530 | [8] 2,956,930 |

[1] Excludes $200,000,000 in the Fiscal Year 1989 Department of Defense Appropriation Act and $4,500,000 by transfer; excludes $6,000,000 transferred from Navy for LEDETS.

[2] Excludes $50,300,000 for Coast Guard shore facilities in the Fiscal Year 1989 Military Construction Appropriation Act. Excludes $4,500,000 transferred to the "Operating expenses" account and $5,000,000 transferred to the "Alteration of bridges" account.

[3] Includes $5,000,000 by transfer.

[4] Limitation on obligations.

[5] Assumes an additional $300,000,000 from DOD, for a program level of $2,252,000,000.

[6] Assumes an additional $300,000,000 from DOD, for a program level of $2,252,000,000.

[7] Program level would total $3,219,530,000.

[8] Program level would total $3,256,930,000.

### OPERATING EXPENSES

| | |
|---|---|
| Appropriations, 1989 | $1,895,883,000 |
| Budget estimate, 1990 | 2,252,200,000 |
| House allowance | 1,952,000,000 |
| Committee recommendation | 1,952,000,000 |

The "Operating expenses" appropriation provides funds for the operation and maintenance of multipurpose vessels, aircraft, and shore units strategically located along the coasts and inland waterways of the United States and in selected areas overseas.

The program activities of this appropriation fall into the following categories:

*Search and rescue.*—One of its earliest and most traditional missions, the Coast Guard maintains a nationwide system of boats, aircraft, cutters, and rescue coordination centers on 24-hour alert.

*Aids to navigation.*—To help the mariner determine his location and avoid accident, the Coast Guard maintains a network of manned and unmanned aids to navigation along our coasts and on our inland waterways, and operates radio stations in the United States and abroad to serve the needs of the armed services and marine and air commerce.

*Marine safety.*—The Coast Guard insures compliance with Federal statutes and regulations designed to improve safety in the merchant marine industry and operates a recreational boating safety program.

*Marine environmental protection.*—The primary objectives of this program are to minimize the dangers of marine pollution and to assure the safety and security of U.S. ports and waterways.

*Enforcement of laws and treaties.*—The Coast Guard is the principal maritime enforcement agency with regard to Federal laws on the navigable waters of the United States and the high seas, including fisheries, drug smuggling, illegal immigration, and hijacking of vessels. Drug law enforcement now consumes the largest amount of operating expenses resources.

*Ice operations.*—In the Arctic and Antarctic, Coast Guard icebreakers escort supply ships, support research activities and Department of Defense operations, survey uncharted waters, and collect scientific data. The Coast Guard also assists commercial vessels through ice-covered waters.

The continued operation of the USCGC *Mackinaw* is a critical aspect of the Coast Guard's icebreaking mission on the Great Lakes. Keeping the shipping channels clear during the severe extended navigation season is important because of its impact on domestic and international commerce. All other assets dedicated to this task are smaller, much less capable, and must work in teams of two, with frequent delays for crew rest, to accomplish the same results. The *Mackinaw* is the single most effective icebreaking vessel on the Great Lakes and the only one capable during the punishing winter storms of assisting the large freighters that dominate the lakes trade.

The Committee understands that recent surveys of the *Mackinaw's* hull and engineering components have shown that with a 5-year, $20,000,000, phased renovation plan, her service life may be extended an additional 15 to 20 years. Therefore, the Committee feels it may be economic to begin improvements on the *Mackinaw* in the near future. The Committee has been advised that the planned retrofit would simultaneously provide greater operational efficiency and a reduction in crew size, thus freeing up personnel for use in other mission areas. This might provide a cost-effective approach to continued operation of a proven vessel and assures an extended navigation season on the Great Lakes. The Committee understands that there are sufficient funds within the "Operating expenses" account to continue full operation of the *Mackinaw* and to perform the survey in preparation for the service life extension work.

*Defense readiness.*—During peacetime the Coast Guard maintains an effective state of military preparedness to operate as a service in the Navy in time of war or national emergency at the direction of the President. As such the Coast Guard has primary responsibility for ports, waterways, and navigable waters up to 200 miles offshore.

### SQQ–T1 ONBOARD TRAINER SYSTEM

The Committee directs that the Navy and Coast Guard evaluate the procurement of modified AN/SQQ–T1 onboard ASW trainers, to assist training on all ASW systems on the Coast Guard 378-foot high endurance cutters, and to modify the AN/SQQ–T1 to train ASW system operators, utilizing passive acoustic surveillance techniques, to interdict vessels that may be involved in the transfer of narcotics and other illicit goods. In addition, the Committee requests a report on the current state of readiness of designated Coast Guard units to perform their antisubmarine warfare mission. This report shall discuss current ASW training standards, techniques, and requirements, the current state of readiness of Coast Guard personnel, and estimates of the necessary capital and operation costs associated with filling any deficiencies. This report will be made available to the Committee no later than April 1, 1990.

*Headquarters administration.*—The headquarters administration activity provides executive direction and servicewide administrative support at the headquarters location of the Coast Guard.

### COAST GUARD SUPPORT TO THE COMMITTEE

The Committee recognizes that this year has been an extraordinary one for the Coast Guard, primarily due to the workload associated with the cleanup of the Alaskan oilspill, including the congressional oversight accompanying such activities. The Committee extends its congratulations to the men and women of the Coast Guard for their exemplary service in response to the numerous oilspills in this past year, including those in the Gulf of Mexico, as well as those in the New Jersey, New York, Delaware, and Philadelphia areas.

However, the Committee is concerned by the lack of timeliness and, in a few instances, the lack of responsiveness to the Committee evidenced by the Coast Guard this year. For example, the Coast Guard was late in responding to Committee hearing questions (for 9 weeks, in spite of Committee guidelines and commitments made by various Coast Guard personnel), during which time the Committee was unable to pursue its review of the Coast Guard budget proposed for fiscal 1990; delayed followup on financial aspects of the *Exxon Valdez* oilspill; was slow in providing followup on additional 1990 budget questions; and was late in providing a requested report on the nationwide need for upgraded vessel traffic service systems.

Perhaps the major cause of the Coast Guard's timeliness problems has been the extraordinary workload associated with oilspills this past year. However, it may also be that the Coast Guard headquarters organization could be reconfigured or staffing increased to provide the Committee improved responsiveness. For example, the budget staff in the Coast Guard headquarters is apparently also responsible for preparation of testimony, handling of transcripts, and preparing responses to questions raised at various authorization and oversight hearings. Perhaps the Commandant could consider providing additional staff to handle peak workload demands.

The Appropriations Committee provides the Coast Guard with a detailed review of its budget proposal and the Coast Guard has typically provided the same quality of support. The Committee is confident that the Coast Guard will take the appropriate actions to maintain their high standards.

### BUDGET JUSTIFICATION IMPROVEMENTS

The Committee also notes that the Coast Guard accounting systems (over a dozen) do not provide the kind of cost support required for a program budget, and also do not permit normal and regular review of the geographical nature of Coast Guard expenditures. The Committee understands that the Coast Guard and the Department of Transportation are attempting to remedy these deficiencies. The Committee is considering requesting the General Accounting Office to work with the Coast Guard and the Department, and to provide the Committee with an initial assessment and regular progress reports on the new systems being developed.

In addition, the budget justification does not reflect funding amounts included in the base from prior years. The 1991 justification needs to be substantially improved, and the Coast Guard has committed to reviewing the Committees needs for additional information. The Committee staff will work with the Department and Coast Guard staff to improve this situation.

### COMMITTEE FUNDING RECOMMENDATION

The Committee recommendation for Coast Guard operating expenses is $2,252,000,000, including $300,000,000 to be transferred from the Department of Defense, and including $30,000,000 from the "Boat safety" account. This is $200,000 below the budget estimate, and the same as the appropriation approved by the House.

After adjusting for anticipated DOD transfers, the Committee recommendation provides an increase of $127,384,000 (or plus 6 percent) over 1989 appropriations to date. This increase will fund nonpay cost-of-living adjustments (budgeted at 3.6 percent) and pay other increase adjustments without the need for programmatic reductions or station closures justified on the basis of inadequate funding. Consequently, the Committee has included bill language concerning closures.

The Committee allowance assumes that $300,000,000 shall be made available to the Coast Guard from the Department of Defense in 1990, in furtherance of the Coast Guard's national defense responsibilities, including drug interdiction.

Included in the allowance are the following adjustments to the budget:

| | |
|---|---|
| Double counting of inflation adjustments made to Department of Defense appropriations transferred to the Coast Guard .................. | −$7,200,000 |
| Funds included in 1990 budget ($259,000), for operation of Bahamian docking facility, are not needed for this purpose. A mobile support facility, consisting primarily of existing cutters operating in the area, was used instead .............................................................. | −259,000 |
| Funds expended in fiscal year 1989 for clean-up activities on the *Exxon Valdez* spill, which have been reimbursed by Exxon. Committee action in 1989 supplemental provides that these funds are available in fiscal year 1990 for operating expenses......................... | −10,000,000 |

| | |
|---|---|
| Follow-on for 100-foot Island Class not justified. Follow-on funding of almost $11,000,000 provided in 1989, which has been retained in the base | −2,731,000 |
| The proposed vessel identification system is a newly authorized program. Allowance retains $3,500,000 to initiate activity. Committee will consider restoring $1,500,000 for development activities in 1991 | −1,500,000 |
| SLUC freeze | −4,875,000 |
| Coast Guard is directed to postpone automation of Boston light until completion of lighthouse policy review and funds are budgeted | −100,000 |
| Land based aerostats will not be operational as anticipated | −9,250,000 |
| Communication support to aerostat funding not needed, due to schedule slippage | −350,000 |
| Forward base to be established at Guantanamo Bay, Cuba, is expected to slip | −2,500,000 |
| Subtotal, reductions | −38,765,000 |
| Equalization of Coast Guard pay provisions with other Department of Defense agencies and other unanticipated program cost increases | +35,230,000 |
| Improved surveillance, system operation, maintenance and communication improvements to be made to the ocean dumping surveillance system in New York/New Jersey area | +400,000 |
| Improved action plan for floatable material in New York Harbor/light area, including air and water surveillance and removal efforts | +1,000,000 |
| Oversight of transportation (surveillance, enforcement, permits, et cetera) of garbage in coastal waters, and other Shore Protection Act costs | +1,000,000 |
| Relocation of computer center from Governors Island, NY, to Martinsburg, WV | +900,000 |
| Coast Guard to retain staffing at Boston Light during fiscal 1990 (from within available funds), and is to conduct a review of its ownership, maintenance, staffing, and use policies regarding lighthouses, which is to include participation by maritime and lighthouse preservation groups as well as mainstream preservation groups. The Coast Guard shall task a senior officer not affiliated with any operating program to lead the study. | +35,000 |
| Subtotal, increases | +38,565,000 |
| Total, changes | −200,000 |

It is the Committee's understanding that $15,000,000 was provided for operation of the land-based aerostats in 1989, and that, even though this amount was specifically budgeted and funds were specifically provided, the Coast Guard internally reprogrammed $4,500,000 for other purposes without notifying the Committee. The Committee intends to review this situation, and to determine if the existing reprogramming guidelines are adequate for effective congressional oversight. The Committee hopes to be able to include the current reprogramming guidelines in the conference report, to be available for future reference.

The Committee also understands that the President's budget includes an allowance of $17,000,000 under functional code 920 for Coast Guard pay increases. The Committee intends to determine if these funds can be made available to the Coast Guard in 1990, thereby potentially reducing the pay need by that amount.

The Committee notes that no funds were budgeted for hurricane reconnaissance aircraft and no funds are included for that purpose.

### DRUG INTERDICTION

The Committee recommendation fully funds the administration's requested level of $567,000,000, compared to $492,000,000 provided in 1989.

The Committee requests the Coast Guard to submit a report to the Committee within 90 days, analyzing the impact of the President's new drug plan (announced on September 5, 1990) on Coast Guard interdiction efforts, especially including an analysis of interdiction versus demand reduction efforts Governmentwide.

### ENVIRONMENTAL PROTECTION ACTIVITIES

The Committee recommendation increases the budget request for environmental protection activities to $168,467,000, up from $147,000,000 in 1989.

### VESSEL TRAFFIC SERVICE, NEW YORK

The Committee provided $5,600,000 in the fiscal year 1989 supplemental for the reestablishment of the vessel traffic system [VTS] in New York and New Jersey, which was decommissioned by the Coast Guard in 1988 to save an estimated $1,341,000.

The Coast Guard will use this funding in 1990 to reestablish coverage in the upper bay, from the Verranzano Narrows to the Brooklyn Bridge, including the entrance to Kill Van Kull, the Saint George ferry terminal, and the Battery. Surveillance attention will focus on the ferry routes and the deep water anchorages.

The Committee intends to consider additional funding for VTS activities in 1991 in New York and New Jersey, in the Puget Sound in Washington, in New Orleans, LA, in Alaska, and in other sensitive areas. The Coast Guard is currently conducting a nationwide review of those areas and the Committee anticipates a fiscal 1991 budget estimate for those systems.

### THE USCG/U.S. ARMY JOINT T-800 ENGINE PROJECT

The Committee notes that the House report describes in some detail the problems associated with the current engine in the HH-65 helicopter. The Committee has received a reprogramming proposal from the Secretary of Transportation, urging Committee approval of a proposal to spend $10,500,000 for a proof-of-concept test of the T-800 engine as an option for reengining the HH-65. The T-800 currently appears to be a viable option.

The Committee agrees that the current engine performance is unacceptable, and has reviewed and approved the reprogramming request. The Committee is convinced that the Coast Guard should, to the maximum extent feasible, purchase proven technology which is concurrently supported by Department of Defense agencies.

### COAST GUARD COST RECOVERY

The Committee has not agreed to the House Committee proposed reduction of $5,000,000 related to the Customs forfeiture fund. However, the Committee urges the Coast Guard to be more aggressive in recovering all costs to which it is entitled. It appears reasonable that Coast Guard billings and recoveries from the Customs forfeiture fund would significantly exceed the amounts reported in the House report, and the Committee directs the Coast Guard to increase its efforts for cost recovery. The Committee is prepared to assist, if required.

The Committee is also aware that press reports indicate that "millions of dollars in fines levied on ships that polluted waterways with oil or entered the Nation's ports with safety violations have gone uncollected by the Coast Guard." The Committee understands that the Coast Guard has corrective actions underway and hopes that the Coast Guard is paying adequate attention to such collections.

The Committee also notes that the Ocean Dumping Ban Act of 1988 provides for a payment of $15 per dry ton by dumpers of sewage sludge to the Administrator of EPA on a quarterly basis. Current law also provides that one-third of this amount is to be transferred to the Coast Guard for use in surveillance and enforcement activities with respect to the transportation and dumping of sewage sludge.

However, the Coast Guard has recently indicated that the ocean dumping surveillance system is currently unfunded, at an estimated cost of $400,000 annually. The Committee has added $400,000 to the budget estimate for this activity but directs the Coast Guard to collect the appropriate transfers from EPA for this activity.

The Committee directs the Coast Guard to submit a comprehensive report to the Committee on its cost-recovery efforts, and its proposal for increasing those recoveries. This report should also address its Presidential protection expenses and the current cost-recovery arrangement with other Federal agencies, as well as Coast Guard efforts to collect fees for the vessel identification system, as authorized by Public Law 100-710, and should be provided within 90 days of enactment of the bill.

### END-OF-YEAR BALANCES

The Committee is including bill language making $25,000,000 of the "Operating expenses" appropriation account available for obligation until September 30, 1991. This should permit the Coast Guard to improve its year end management of scarce resources.

### JURISDICTIONAL TRANSFER/ADMINISTRATIVE PROVISION

The Committee has included bill language providing for a noncontroversial jurisdictional transfer between the Coast Guard and the National Park Service for management of several parcels in Sandy Hook, NJ.

## Acquisition, Construction, and Improvements

| | |
|---|---|
| Appropriations, 1989 [1] | $295,000,000 |
| Budget estimate, 1990 | 682,300,000 |
| House allowance | 423,800,000 |
| Committee recommendation | 455,200,000 |

[1] Does not include $100,000,000 provided in Public Law 100-690, the Anti-Drug Abuse Act of 1988, and $50,300,000 provided by transfer from the Military Construction Appropriations Act, 1989.

This appropriation provides for the major acquisition, construction, and improvement of vessels, aircraft, shore units, and aids to navigation operated and maintained by the Coast Guard. Currently, the Coast Guard has in operation approximately 250 cutters, ranging in size from 65-foot tugs to 399-foot polar icebreakers, more than 2,000 boats, and more than 175 helicopters and fixed-wing aircraft. The Coast Guard also operates approximately 600 stations, support and supply centers, communications facilities, and other shore units. The Coast Guard provides over 48,000 navigational aids—buoys, fixed aids, lighthouses, and radio navigational stations.

### COMMITTEE RECOMMENDATION

For acquisition, construction, and improvements, the bill includes $455,200,000, which is $31,400,000 more than the House allowance, $227,100,000 less than the budget request, and $160,200,000 more than the fiscal 1989 enacted level.

The allowance includes the following adjustments:

| | |
|---|---|
| Icebreaker construction not currently specifically authorized. Committee supports further development of plans and specifications, and solicitation of estimates. Committee will reconsider in future years | −$243,500,000 |
| Survey and design expenses are proposed to be continued at the 1989 level | −1,800,000 |
| Purchase, install, and establish contract support for maintenance and operation of an additional three SARSAT LUT's | +2,700,000 |
| Construction of the Nation's first cold water survival training center in Alaska | +3,600,000 |
| Expansion of the VTS coverage in Puget Sound, WA | +4,000,000 |
| Planning and construction of the uniform warehouse expansion at the Coast Guard Training Center, Cape May, NJ | +1,300,000 |
| Offset, to be derived from the patrol boat underrun ($5,900,000) and the AN/APG-66 underrun ($2,500,000) | −8,400,000 |
| Provide for prototype C-130 with radar dome, with radar and ancillary equipment to be provided by the Navy | +15,000,000 |
| Total, adjustments | −227,100,000 |

The following table summarizes the Committee's programmatic recommendations:

| | Budget | House program level allowance | Committee recommendations |
|---|---|---|---|
| Vessels | $376,200,000 | $133,700,000 | $132,700,000 |
| Aircraft | 202,100,000 | 202,100,000 | 217,100,000 |
| Command, control, and communications | 13,200,000 | 13,200,000 | 15,900,000 |
| Shore facilities, aids to navigation | 59,700,000 | 62,800,000 | 68,600,000 |
| Administration | 31,100,000 | 30,500,000 | 20,900,000 |
| Subtotal | 682,300,000 | 442,300,000 | 455,200,000 |
| Offset from prior year appropriations | | −18,500,000 | (−8,400,000) |
| Total | 682,300,000 | 423,800,000 | 455,200,000 |

*Vessels.*—The Committee recommends an appropriation of $132,200,000 for vessel acquisition and improvement. The projected allocation of these funds is shown in the table below:

## VESSELS

| | Budget estimate | House allowance | Committee recommendation |
|---|---|---|---|
| Acquire vessels and equipment: | | | |
| Replacement polar icebreaker acquisition | $244,000,000 | $1,500,000 | $500,000 |
| Motor life boat [MLB] replacement project | 5,800,000 | 5,800,000 | 5,800,000 |
| Buoy tender (WLB) capabilities replacement | 3,200,000 | 3,200,000 | 3,200,000 |
| Replacement cutter boats | 2,600,000 | 2,600,000 | 2,600,000 |
| Complete 2d district barge replacement project | 1,100,000 | 1,100,000 | 1,100,000 |
| Repair, renovate, or improve existing vessels and small boats: | | | |
| 378 foot high endurance cutter (WHEC) fleet renovation and modernization [FRAM] | 97,000,000 | 97,000,000 | 97,000,000 |
| 210 foot medium endurance cutter (WMEC) major maintenance availability [MMA] | 8,000,000 | 8,000,000 | 8,000,000 |
| 378 foot high endurance cutter (WHEC) weapons system modernization | 10,000,000 | 10,000,000 | 10,000,000 |
| Service life extension project [SLEP] | 3,200,000 | 3,200,000 | 3,200,000 |
| Polar class icebreaker reliability improvement project | 1,300,000 | 1,300,000 | 1,300,000 |
| Total, vessels | 376,200,000 | 133,700,000 | 132,700,000 |

The Committee is concerned about the large cost increases associated with the 210-foot cutter MMA project. The total estimated cost of this program has increased by 44 percent over 2 years. Testimony indicates that cost escalation is especially pronounced at one of the two shipyards performing this work. The MMA cost of the first vessel was $28,600,000 at this shipyard versus $18,000,000 at the other shipyard. This could result in excess costs of $90,000,000 to $100,000,000 if all nine of the remaining "B" class cutters are rehabilitated at this facility. The Committee understands that the Department has reviewed its operations under its MMA contract and plans to move the project to the Coast Guard yard. The Committee supports this decision. The Coast Guard should ensure that future contracts of this type are reviewed similarly.

*Aircraft.*—The Committee recommends an appropriation of $217,100,000 which is to be distributed as follows:

## AIRCRAFT

| | Budget estimate | House allowance | Committee recommendation |
|---|---|---|---|
| HH-60 medium range recovery [MMR] helicopter replacement program (plus simulator) | $132,000,000 | $132,000,000 | $132,000,000 |
| HH-65 short range recovery [SRR] helicopter—Supplemental spares provisioning | 18,100,000 | 18,100,000 | 18,100,000 |
| HH-65 engine availability improvement—Phase II | 10,200,000 | 10,200,000 | 10,200,000 |
| HU-25 medium range search [MRS] aircraft law enforcement sensors | 8,100,000 | 8,100,000 | 8,100,000 |
| Talon system for shipboard helicopter tiedown—Phase I | 7,100,000 | 7,100,000 | 7,100,000 |
| HU-25 medium range search [MRS] aircraft engine improvements | 1,600,000 | 1,600,000 | 1,600,000 |
| HU-25 aircraft spare parts shortfall | 25,000,000 | 25,000,000 | 25,000,000 |
| C-130 prototype radar installation | | | 15,000,000 |
| Total, aircraft | 202,100,000 | 202,100,000 | 217,100,000 |

*Command, control, and communications.*—The Committee recommends $15,900,000. The following table displays the project allocation:

## COMMAND, CONTROL, AND COMMUNICATIONS

| | Budget estimate | House allowance | Committee recommendation |
|---|---|---|---|
| Distributed computing system—Phase II | $1,900,000 | $1,900,000 | $1,900,000 |
| Establish sarsat local user terminals [LUT's] | 2,600,000 | 2,600,000 | 5,300,000 |
| Global positioning system [GPS] installation—Phase I | 1,600,000 | 1,600,000 | 1,600,000 |
| HC-130 forward looking airborne radar [FLAR]—Phase VII | 4,900,000 | 4,900,000 | 4,900,000 |
| Replace aircraft repair and supply center [AR&SC] computer—Phase II | 1,500,000 | 1,500,000 | 1,500,000 |
| Establish portable intelligence collection system | 700,000 | 700,000 | 700,000 |
| Total, command, control, and communications and related systems | 13,200,000 | 13,200,000 | 15,900,000 |

At least one additional sarsat LUT will be provided for Hawaii.

*Shore facilities and aids to navigation.*—The program level recommended is $68,600,000, and includes the following projects:

## SHORE FACILITIES AND AIDS TO NAVIGATION

| | Budget estimate | House allowance | Committee recommendation |
|---|---|---|---|
| Tacoma VTS | | $4,000,000 | $4,000,000 |
| Minor AC&I shore construction projects | $8,100,000 | 7,500,000 | 8,100,000 |
| Underground storage tank [UST] cleanup program | 1,000,000 | 1,000,000 | 1,000,000 |
| Southeast U.S. [SEUS] air interdiction shore facilities—Phase II | 5,100,000 | 5,100,000 | 5,100,000 |
| Seattle, WA: Support center renovation—Pier 35 construction—Phase II | 1,200,000 | 1,200,000 | 1,200,000 |
| Elizabeth City, NC: Support center clinic replacement | 3,200,000 | 3,200,000 | 3,200,000 |
| Kodiak, AK: Support center fuel farm containment construction | 1,900,000 | 1,900,000 | 1,900,000 |
| Petaluma, CA: Construct replacement water line for training center | 2,400,000 | 2,400,000 | 2,400,000 |
| Cape May, NJ: Beach erosion control | 3,400,000 | 3,400,000 | 3,400,000 |
| Public family quarters | 7,600,000 | 10,000,000 | 7,600,000 |
| Ketchikan, AK: Base renovation—Phase II | 4,900,000 | 4,900,000 | 4,900,000 |
| Palm Beach, FL: Construct new station Lake Worth inlet | 3,200,000 | 3,200,000 | 3,200,000 |
| Rodanthe, NC: Replace station, Oregon inlet | 3,600,000 | 3,600,000 | 3,600,000 |
| Southport, NC: Rebuild station, Oak Island | 3,000,000 | 3,000,000 | 3,000,000 |
| Greenville, MS: Moorings relocation | 2,200,000 | 2,200,000 | 2,200,000 |
| East Tawas, MI: Rebuild station | 2,200,000 | 2,200,000 | 2,200,000 |
| Waterways aids-to-navigation projects | 6,700,000 | 6,000,000 | 6,700,000 |
| Cape May, NJ: Warehouse expansion | | | 1,300,000 |
| Alaska: Cold weather survival center | | | 3,600,000 |
| Program slippage/design | | −2,000,000 | |
| Total shore facilities and aids to navigation projects | 59,700,000 | 62,800,000 | 68,600,000 |

The Committee understands that $4,500,000 is included in the allowance for aids to navigation work in the Chesapeake Bay and Rappahannock Channel, MD, waterway projects.

The Committee expects that in fiscal year 1990, from within available funds, the Coast Guard will complete design and other predevelopment work on a new shore facility on Lake Champlain in Burlington, VT.

The Committee is pleased to learn that the construction schedule for the Coast Guard Operations Computer Center to be located in

Martinsburg, WV, is now progressing well despite earlier delays which were necessary to incorporate local real estate market conditions and for additional time to review the solicitation for offers. The Committee fully expects the Coast Guard to work closely with the General Services Administration to comply with the following revised construction schedule which calls for contract negotiations to be completed by the fall of 1989 and delivery of the project by the fall of 1990.

*U.S. Coast Guard facility acquisition schedule, Martinsburg, WV*

| | |
|---|---|
| Issue SFO | May 15, 1989. |
| Initial offers | July 15, 1989. |
| Negotiation completed | October 15, 1989. |
| BAFO received | November 1, 1989. |
| Recommendation to agency | November 15, 1989. |
| Contract clearance | January 1990. |
| Award | January 1990. |
| Delivery | October 1990. |

*Administration.*—The Committee allowance is $20,900,000. Included in the allowance is a reduction of $1,800,000, which maintains survey and design expenses at the fiscal year 1989 level, and an offset of $8,400,000, to be derived from prior year AC&I savings.

The Committee has agreed to House proposed earmarking of the "Acquisition, construction, and improvements" account funding into 5 subcategories, and has added bill language to permit reprogramming between these subcategories through the normal reprogramming procedures.

### CONTRACTOR WARRANTIES

The Committee concurs with the House in continuing bill language requiring written warranties on all major system acquisitions by the Coast Guard. The Committee also agrees with the House report language specifying the minimum terms and conditions that such warranties should include.

### COAST GUARD SHORE FACILITIES ACCOUNT

The Committee has also included bill language concerning the merger of funds remaining in the "Coast Guard shore facilities" account with funds in the "Acquisition, construction, and improvements" account.

## ALTERATION OF BRIDGES

| | |
|---|---|
| Appropriations, 1989 | $8,500,000 |
| (By transfer) | (5,000,000) |
| Budget estimate, 1990 | 2,330,000 |
| House allowance | 2,330,000 |
| Committee recommendation | 2,330,000 |

The "Alteration of bridges" appropriation provides funds for the Coast Guard's share of the cost of altering or removing bridges obstructive to navigation. Under the provisions of the Truman-Hobbs Act of June 21, 1940, as amended (33 U.S.C. 511 et seq.), the Coast Guard, as the Federal Government's agent, is required to share with owners the cost of altering railroad and publicly owned highway bridges which obstruct the free movement of navigation on navigable waters of the United States in accordance with the formula established in 33 U.S.C. 516.

The Committee recommends an appropriation of $2,330,000 in fiscal 1990, the same as the budget and the House.

## RETIRED PAY

| | |
|---|---|
| Appropriations, 1989 | $410,800,000 |
| Budget estimate, 1990 | 420,800,000 |
| House allowance | 420,800,000 |
| Committee recommendation | 420,800,000 |

The "Retired pay" appropriation provides for retired pay of military personnel of the Coast Guard and Coast Guard Reserve, members of the former Lighthouse Service, and for annuities payable to beneficiaries of retired military personnel under the retired serviceman's family protection plan (10 U.S.C. 1431–1446) and survivor benefit plan (10 U.S.C. 1447–1455), and for medical care of retired personnel and their dependents under the Dependents Medical Care Act. The average number of personnel on the retired rolls is estimated to be 25,606 in fiscal year 1990, as compared with an estimated 25,130 in fiscal year 1989 and 24,528 in fiscal year 1988.

The bill includes $420,800,000 for retired pay, which is the same as the House allowance and the budget request.

## RESERVE TRAINING

| | |
|---|---|
| Appropriations, 1989 | $67,000,000 |
| Budget estimate, 1990 | 73,800,000 |
| House allowance | 71,800,000 |
| Committee recommendation | 73,800,000 |

The Coast Guard Reserve was established by Act of Congress in February 1941, to provide qualified individuals and trained units for active duty in time of war or national emergency. This objective is now being accomplished through formal training and augmentation of regular forces in the performance of peacetime missions during domestic emergencies and during routine and peak operations. The program activities fall into the following categories.

*Initial training.*—For non-prior-service trainees.

*Continuing training.*—For officer and enlisted personnel through the performance of drills and annual active duty training.

*Operation and maintenance of training facilities.*—For the day-to-day operation and maintenance of Reserve training facilities, including organized Reserve training units.

*Administration.*—For all administrative functions required in the operation of the Reserve Forces Program.

The bill includes $73,800,000 for Reserve training, the same as the budget request. It is $2,000,000 above the House allowance and $6,800,000 above 1989 appropriations to date.

Consistent with the Coast Guard budget justification, the Committee allowance provides for Selected Reserve strengths of 12,950 in 1990, compared to a 1989 reserve strength of 12,100.

## Research, Development, Test, and Evaluation

| | |
|---|---|
| Appropriations, 1989 | $18,800,000 |
| Budget estimate, 1990 | 19,000,000 |
| House allowance | 18,800,000 |
| Committee recommendation | 22,800,000 |

The Coast Guard's Research and Development Program seeks to improve the tools and techniques with which Coast Guard carries out its varied operational missions and to increase the knowledge base upon which it depends to fulfill its regulatory responsibilities.

The bill includes $22,800,000 for research, development, test, and evaluation, which is $3,800,000 more than the budget request and $4,000,000 more than the House allowance.

The Committee recommendation for funding distribution is as follows:

| Program | Fiscal year 1989 appropriation | Fiscal year 1990 budget estimate | House allowance | Committee recommendation |
|---|---|---|---|---|
| Search and rescue | $1,050,000 | $775,000 | $775,000 | $775,000 |
| Aids to navigation | 1,950,000 | 1,415,000 | 1,415,000 | 1,415,000 |
| Marine safety | 1,120,000 | 1,140,000 | 1,140,000 | 1,140,000 |
| Marine environmental protection | 490,000 | 150,000 | 150,000 | 4,150,000 |
| Enforcement of laws and treaties | 520,000 | 1,700,000 | 1,700,000 | 1,700,000 |
| Defense readiness | 700,000 | 1,320,000 | 1,320,000 | 1,320,000 |
| Command, control and communications | 2,350,000 | 1,950,000 | 1,950,000 | 1,950,000 |
| Personnel support | 800,000 | 700,000 | 700,000 | 700,000 |
| Information systems | 720,000 | 700,000 | 700,000 | 700,000 |
| Advanced marine vehicles | 1,300,000 | 1,450,000 | 1,300,000 | 1,300,000 |
| Other multimission | 700,000 | 550,000 | 550,000 | 550,000 |
| RDT&E support and operations | 1,600,000 | 1,550,000 | 1,500,000 | 1,500,000 |
| Administration | 5,500,000 | 5,600,000 | 5,600,000 | 5,600,000 |
| Total | 18,800,000 | 19,000,000 | 18,800,000 | 22,800,000 |
| Positions: | | | | |
| Military | 42 | 42 | 42 | 42 |
| Civilian | 71 | 71 | 71 | 71 |

The amount provided for administration will support the requested complement of military and civilian positions.

Recent experience attempting to clean up Alaska crude oil indicates that oil and hazardous material cleanup capabilities are rudimentary and need to be upgraded. The Committee, therefore, urges the Coast Guard to accelerate its applied research activities in the marine environmental protection area, and to provide the Committee with a proposed research plan within 90 days of enactment.

## OFFSHORE OIL POLLUTION COMPENSATION FUND

| | |
|---|---|
| Appropriations, 1989 | |
| (Limitation) | ($60,000,000) |
| Budget estimate, 1990 | |
| (Limitation) | (60,000,000) |
| House allowance | |
| (Limitation) | (60,000,000) |
| Committee recommendation | |
| (Limitation) | (60,000,000) |

Title III of the Outer Continental Shelf Lands Act Amendments of 1978 provides for an oil pollution compensation fund to pay compensation for damages, including cleanup, resulting from oilspills as a result of loading, offloading, or transit activities taking place on the Outer Continental Shelf. Receipts are generated from a fee on Outer Continental Shelf oil.

The purpose of this fund is to insure prompt cleanup of oil or other hazardous contaminants spilled into the navigable waters of the United States adjoining shorelines or waters of the contiguous zone. The fund is used when the parties responsible for a spill do not accomplish immediate cleanup with their own resources. Expenditures from the fund are to be recovered at a later date from the owners or operators of vessels and facilities responsible for the relevant spill.

The bill includes the requested authority to borrow from the Secretary of the Treasury should appropriations be insufficient to meet obligations.

## DEEPWATER PORT LIABILITY FUND

| | |
|---|---|
| Appropriations, 1989 | |
| (Limitation) | ($50,000,000) |
| Budget estimate, 1990 | |
| (Limitation) | (50,000,000) |
| House allowance | |
| (Limitation) | (50,000,000) |
| Committee recommendation | |
| (Limitation) | (50,000,000) |

The Deepwater Port Liability Fund was established to provide a system for determination and settlement, without fault, of claims for all cleanup costs and damages incurred, but not otherwise compensated, as a result of discharges of oil into the marine environment from deepwater port activities. (33 U.S.C. 1517(f)).

Fund resources accrue from fees on oil transiting deepwater port facilities. The Deepwater Port Amendments Act of 1984 suspended the fee, beginning on September 25, 1984, so long as fund balances total not less than $4,000,000 as fixed by law.

## BOAT SAFETY

| | |
|---|---|
| Appropriations, 1989 | ($30,000,000) |
| Budget estimate, 1990 | (15,000,000) |
| House allowance | (30,000,000) |
| Committee recommendation | 30,000,000 |

This account provides financial assistance for a coordinated National Recreational Boating Safety Program for the several States.

Title 46 United States Code, section 13106, establishes a "Boat safety" account from which the Secretary may allocate and distribute matching funds to assist in the development, administration, and financing of qualifying State programs. The "Boat safety" account consists of amounts transferred from the highway trust fund which are derived from the motorboat fuel tax (9 cents per gallon). The total transferred may not exceed $60,000,000 in 1990. Receipts in excess of $60,000,000 are transferred to the Land and Water Conservation Fund, and the "Sport fish restoration" account, which are managed by the Department of the Interior.

### LIMITATION ON OBLIGATIONS

The Committee has recommended new bill language concerning the "Boat safety" account, which has the effect of providing a direct appropriation rather than providing for a limitation on obligations.

## FEDERAL AVIATION ADMINISTRATION

### SUMMARY OF FISCAL YEAR 1990 PROGRAM

The Federal Aviation Administration traces its origins to the Air Commerce Act of 1926, but more recently to the Federal Aviation Act of 1958 which established the independent Federal Aviation Agency from functions which had resided in the Airways Modernization Board, the Civil Aeronautics Administration, and parts of the Civil Aeronautics Board. FAA became an administration of the Department of Transportation on April 1, 1967, pursuant to the Department of Transportation Act (October 15, 1966).

The total recommended program level for the FAA for fiscal year 1990 amounts to $7,328,281,000, including a $1,500,000,000 obligation limitation on the use of contract authority for the Airport Grants Program. This represents, in the aggregate, an increase of $927,451,000 over the fiscal 1989 level. The following table summarizes the Committee's recommendations:

[In thousands of dollars]

| Program | Fiscal year 1989 program level | Budget estimate | House allowance | Committee recommendations |
|---|---|---|---|---|
| Headquarters administration | 36,492 | ([1]) | ([1]) | ([1]) |
| Operations [2] | [3] 3,418,974 | 3,933,000 | 3,846,000 | 3,875,000 |
| Facilities and equipment | 1,384,184 | 1,955,000 | 1,732,000 | 1,780,131 |
| Research, engineering, and development | 159,945 | 165,000 | 185,000 | 173,000 |
| Grants-in-aid for airports [4] | 1,400,100 | 1,350,000 | 1,500,000 | 1,500,000 |
| Aircraft loan guarantee defaults [5] | 1,135 | 150 | 150 | 150 |
| Total | 6,400,830 | 7,403,150 | 7,262,150 | 7,328,281 |

[1] Included in operations as a separate activity.

[2] Assumes obligation of $10,000,000 in fiscal year 1989 and fiscal year 1990 provided by transfer for the reemployed annuitant program.

[3] Includes $417,000 in carryover from fiscal year 1988; includes reduction of $1,443,000 in accordance with sec. 347 of Public Law 100–457 (consultant services).

[4] Limitation on obligations.

[5] Estimate shown in fiscal year 1990 budget for authority to borrow (97 Stat. 339).

## HEADQUARTERS ADMINISTRATION

| | |
|---|---|
| Appropriations, 1989 | $36,492,000 |
| Budget estimate, 1990 [1] | 29,961,000 |
| House allowance [1] | 28,641,000 |
| Committee recommendation [1] | 28,641,000 |

[1] Included as part of the operations account.

Headquarters administration is proposed for consolidation with the operations appropriation as a separate activity. The fiscal year 1990 budget request includes $29,961,000 and 397 positions for the headquarters administration program. The Committee concurs with the budget request and House recommendation which funds this activity within the overall operations account.

## OPERATIONS

### (INCLUDING TRANSFERS)

| | |
|---|---|
| Appropriations, 1989 | $3,410,000,000 |
| (By transfer) | (10,000,000) |
| Budget estimate, 1990 [1] | 3,923,000,000 |
| (By transfer) | (10,000,000) |
| House allowance [2] | 3,836,000,000 |
| (By transfer) | (10,000,000) |
| Committee recommendation [2] | 3,865,000,000 |
| (By transfer) | (10,000,000) |

[1] Includes $29,961,000 for the "Headquarters administration" account.
[2] Includes $28,641,000 for the "Headquarters administration" account.

FAA's "Operations" appropriation provides funds for the operation, maintenance, communications, and logistic support of the air traffic control and navigation systems and activities. It also covers the administration and management of the regulatory, airports, medical and engineering and development programs.

The bill includes a total of $3,875,000,000 (including transfers) for the operations activities of the Federal Aviation Administration, of which $906,500,000 shall be derived from the Airport and Airway Trust Fund. The account total including headquarters administration is $418,400,000 more than the amount appropriated for fiscal year 1989, $58,000,000 less than the budget estimate, and $29,000,000 more than the House allowance.

As in past years, FAA is directed to report immediately to the Committees on Appropriations in the event resources are insufficient to operate a safe and effective air traffic control system.

The activities of the operations accounts comprise nine main areas:

*Operation of air traffic control system.*—The operation of a national system of air traffic management in the United States, its territories, and its possessions on a 24-hour basis.

*NAS logistics support*—Procurement, contracting, and materiel management programs; administrative communications; supply; and other logistics support.

*Maintenance of air traffic control system.*—The direction and engineering services related to the maintenance, improvement, and modification of facilities and equipment in the traffic control system; and technical operation and maintenance of a national network of air navigation aids and traffic control facilities.

*Leased telecommunications services.*—Finances the noncapital costs of FAA's operational and administrative telecommunications systems.

*Administration of Aviation Standards Program.*—The promotion of flight safety of civil aircraft by assuring the airworthiness of aircraft; the competence of pilots, aviators, and aviator technicians; the adequacy of flight procedures and air operations; the evaluation of inflight facility performance for compliance with prescribed standards; the use and maintenance of the FAA's aircraft fleet; the medical fitness of personnel in the national airspace system; and the conduct of the Civil Aviation Security Program.

*Development direction.*—The planning, direction, and evaluation of the engineering and development program, direct project costs of which are financed under the research, engineering, and development appropriation.

*Administration of Airports Program.*—Mainly, the administration of airport grants and the safety certification of airports.

*Human resources management.*—Administration of employee recruitment, development, compensation, training, and labor-management relations programs.

*Direction, staff, and supporting services.*—Administrative and housekeeping costs that support the primary programs of the agency.

*Headquarters administration.*—Funds the Washington headquarters administrative functions that establish policy, direct, and develop programs which provide for the following administrative services: policy and plans, accounting, budget, civil rights, international aviation, management systems, and data systems.

The following table summarizes the Committee's recommendation in comparison to the budget estimate and House allowance.

[Dollars in thousands]

| | Fiscal year 1989 program level [1] | Fiscal year 1990 budget estimate | House allowance | Committee recommendations |
|---|---|---|---|---|
| Operation of air traffic control system | [2] $1,564,703 | [2] $1,756,914 | [2] $1,732,576 | [2] $1,735,341 |
| (Positions) | (27,150) | (28,026) | (27,954) | (27,995) |
| NAS logistics support | $191,582 | $220,268 | $205,765 | $220,000 |
| (Positions) | (1,481) | (1,561) | (1,521) | (1,555) |
| Maintenance of air traffic control system | $658,008 | $729,305 | $718,774 | $720,320 |
| (Positions) | (10,454) | (10,454) | (10,454) | (10,454) |
| Leased telecommunications services | $236,784 | $273,414 | $268,073 | $268,073 |
| Administration of aviation standards program | $371,269 | $431,632 | $426,383 | $426,383 |
| (Positions) | (6,059) | (6,791) | (6,754) | (6,755) |
| Development direction | $13,900 | $16,323 | $15,492 | $15,400 |
| (Positions) | (136) | (143) | (143) | (143) |
| Administration of Airports Program | $32,953 | $36,708 | $36,525 | $36,500 |
| (Positions) | (472) | (515) | (515) | (515) |
| Human resources management | $236,525 | $309,092 | $288,429 | $299,000 |
| (Positions) | (1,256) | (1,460) | (1,376) | (1,400) |
| Direction, staff and supporting services | $113,250 | $129,383 | $125,342 | $125,342 |
| (Positions) | (946) | (1,067) | (1,067) | (1,067) |
| Headquarters administration | $36,492 | $29,961 | $28,641 | $28,641 |
| (Positions) | (520) | (397) | (397) | (397) |
| Total | $3,455,466 | $3,933,000 | $3,846,000 | $3,875,000 |

| | Fiscal year 1989 program level [1] | Fiscal year 1990 budget estimate | House allowance | Committee recommendations |
|---|---|---|---|---|
| Positions | (48,474) | (50,414) | (50,181) | (50,281) |

[1] Includes $417,000 carryover from fiscal year 1988.

[2] Assumes obligation of $10,000,000 provided by transfer for reemployed annuitant program.

### OPERATION OF AIR TRAFFIC CONTROL SYSTEM

The Committee recommends a total of $1,735,341,000 for the operation of the national air traffic control and flight service system. This is $21,573,000 less than the budget estimate and slightly more than the House allowance. The amount recommended will support 27,995 positions which is more than the House allowance and 31 less than the budget request. The Committee expects FAA to better control personnel-related costs through a more cost-conscious approach to the management of the hiring rate of new personnel. Additional savings are anticipated in non-training-related travel and transportation costs through improved management control.

*Air traffic controller work force*

In the fiscal year 1989 bill, the Congress required FAA to satisfy three air traffic controller work force staffing requirements by September 30, 1989; namely, (1) total air traffic controller work force level of not less than 16,800; (2) total full performance level air traffic controllers of not less than 10,832; and (3) at least 70 percent of the air traffic controller work force, at each center and level 3 and above terminal shall have achieved operational controller status.

The Committee's recommendation includes the requested increase of 695 controllers above the level of 16,800 projected for September 30, 1989. The budget request also shows a projected level of 12,725 FPL's as of the end of fiscal year 1990.

The Committee observes, however, that between May 31, 1988, and May 31, 1989, the total controller work force increased by only 441 personnel to 16,461 and the FPL level increased by only 598 to 9,831 FPL's. Therefore, in the 4 months remaining in fiscal year 1989, the total controller work force would have had to rise by 339 and the number of FPL's would likewise have had to rise sharply by almost 1,000 in order to meet the congressional requirement.

Although FAA has satisfied the requirement for operational controllers, the Committee believes that neither the controller work force nor the FPL controller requirements will be met. In that regard, the Committee views as optimistic the FAA's projected level of 12,725 FPL's as of the end of fiscal year 1990. The Committee finds that the likely failure to meet all of the requirements for fiscal year 1989 reflects the fact that the FAA is still struggling to deal both with the tremendous growth in aviation activity and the loss of skilled personnel as a result of the 1981 strike.

In this regard the Committee notes that the Secretary of Transportation in a letter dated July 21, 1989, notified the House and Senate Committees regarding the need to waive the work force staffing requirements required in Public Law 100-457, the appropriations act for fiscal year 1989. Section 332 of that Act allows the

Secretary to waive staffing requirements if those requirements would adversely affect aviation safety.

In that letter to the House and Senate Appropriations Committees the Secretary asked for the waiver because "* * * that compliance with the 10,832 FPL for September 30, 1989, would adversely affect aviation safety because it effectively denies us the flexibility to reassign FPL controllers to facilities that are shortstaffed."

The House has included in the general provisions section of the bill, language which directs the FAA Administrator to satisfy the following requirements by September 30, 1990: (1) total air traffic controller work force level of not less than 17,495; (2) total full performance level air traffic controllers of not less than 12,725; and, (3) at least 70 percent of the air traffic controller work force, at each center and level 3 and above terminal shall have achieved operational controller status.

Notwithstanding the problems, noted above, that FAA has had in satisfying the requirements that were contained in the fiscal year 1989 bill, the Committee believes that it is necessary to continue to impose employment targets that cover air traffic controllers. In addition, the Committee believes that it is necessary for the Secretary to inform the Committees if such employment goals are not attainable and the reasons why. The Committee, therefore, concurs with the House's bill language and has included the same.

### *Air traffic control centers and towers*

The Committee recommends $1,338,603,000 and 22,619 positions for the operation of air route traffic control or enroute centers, terminal radar approach control facilities [TRACON's] and airport traffic control towers.

The Committee concurs with the House directive that $150,000 be available for the operation of the Smyrna, TN, air traffic control tower and further directs that sufficient funds be available for operation of the air traffic control tower at Stewart International Airport, NY. The Committee directs the FAA to work with the airport authority in Valdosta, GA, regarding the recommissioning of that airport's tower and its being included in the FAA's contract tower program. In addition, the Committee directs that no air traffic control towers or flight service stations in West Virginia be closed during fiscal year 1990.

The Committee directs the FAA to extend the contract for airport traffic control tower services at Pendleton, OR. This tower is critical to managing air safety in the area due to the various segments of aviation that utilize the runways, including the Oregon National Guard to which the tower is essential for training operations.

The Committee directs the FAA to continue to monitor the needs and to conduct additional air traffic surveys at Olive Branch Airport in Mississippi, for the purpose of determining the feasibility of installing a control tower and an instrument landing system. In addition, it has come to the Committee's attention that an air traffic control tower is necessary for safety reasons at the Friedman Airport, in Idaho; and that costs of a contract tower at this site would be approximately $290,000 for the first year of operation. The Committee directs that FAA work with representatives of Friedman for the immediate installation of tower operations.

In addition, the Committee concurs with the House report language that directs FAA to report to the House and Senate Committees on Appropriations regarding the status of the visual flight rules [VFR] level I air traffic control towers contract program.

*Flight service stations*

Flight service stations [FSS's] provide a variety of important services principally for general aviation pilots. The major services include: (1) the provision of flight assistance (preflight, inflight, and emergency) including accepting and closing flight plans; and (2) the collection and dissemination of meteorological and aeronautical information. Providing support for drug interdiction will be a new emphasis area in fiscal year 1990.

FAA plans to continue its program to automate FSS operations which would allow substantial consolidations of existing facilities. In fiscal year 1990, according to the budget, FAA plans to consolidate 32 FSS's into automated facilities equipped with model 1 and provide contract weather observation services. Regarding FSS closures and consolidations, the Committee reiterates its previous direction to FAA regarding the conditions that must be met prior to any closures and consolidations.

The Committee recommends $234,900,000 for this activity. The Committee's recommendation provides 4,400 positions. The Committee observes that FSS operations are expected to be slightly increased over the current year and that FSS overtime usage is also expected to increase over the current level. FAA still needs to develop accurate and reliable staffing standards for the automated flight service stations. In that regard, pilots are already experiencing extended delays in getting services from the new, automated FSS's during peak activity periods because the facilities are not staffed to meet peak demands, according to FAA.

The flight service station located at Marquette County Airport in Michigan is scheduled for closure in April 1990, with flight services consolidated into the Green Bay, WI, automated flight service station. The Committee is concerned that the surrounding terrain and the area's volatile weather combine to make the FSS at Marquette a poor candidate for consolidation at this particular time. The Committee directs FAA to keep the station open and to expeditiously work to install an automated surface observation system at Marquette.

*Planning, direction, and evaluation*

The Committee recommends $159,073,000 to support this subactivity. The Committee is encouraged by the FAA's response to its direction last year that FAA establish an independent air traffic safety program. However, the Committee continues to believe that the program should ultimately be extended down to the major facility level and not be restricted to limited staffing at the regional level. The Committee recognizes the current staffing limitations in terms of the need for experienced personnel to be available for air traffic control duties. At the same time the Committee does not agree that the planned air traffic evaluation program satisfies the need for greater objectivity. Therefore, the Committee expects FAA to work toward the assignment of a separate safety manager at each major facility under the cognizance of the Office of Aviation Safety, as resource levels permit.

### NATIONAL AIRSPACE SYSTEM LOGISTICS SUPPORT

The Committee recommends $220,000,000 and 1,555 positions for the activity. The Committee's recommendation is slightly less than the budget estimate and $14,235,000 more than the House allowance. It is $28,418,000 more than the fiscal year 1989 enacted level, including 74 additional positions.

Several Government and industrial organizations use an organizational structure which brings authority in line with responsibility. Often in an agency that is organized along functional lines (engineering, legal, budget, procurement, et cetera), the authority to command all the functional resources necessary to ensure the success of a particular program or project resides at the head of the agency to which all the functional organizations report.

The responsibility for achieving a particular program objective, however, is often delegated to a program/project manager who is located in one of the functional organizations. The ability to draw upon the resources of the other functional areas is often determined by the person's individual skills and personality. The result is that the necessary accountability for a particular program or project is muddled by the organization's functional structure.

One solution to the problem of accountability and authority is to develop a more dynamic structure which has a designated special project's office. In this organization, a program or project manager is designated as being responsible for the success of each program and/or project; and all the functional resources necessary to accomplish a particular objective are assigned to him/her.

In light of the agency's recent reorganization, the Committee is not calling for another reorganization; but it is concerned whether the existing structure benefits and works to assure success of the NAS plan. The Committee directs that the FAA review its present organizational setup and to report back to the Committee on the feasibility of establishing a special projects office with sole responsibility for the NAS plan. Such an office would have individuals from a number of disciplines and would employ persons from a number of the functional areas. Such an office does not require another reorganization but the responsibility for managing the NAS plan would clearly rest in one place.

### MAINTENANCE OF AIR TRAFFIC CONTROL SYSTEM

The Committee recommends $720,320,000 and 10,454 positions for maintenance of the air traffic control system. The Committee's recommendation is $8,985,000 less than the budget estimate and $1,546,000 more than the House allowance. The Committee concurs in the position taken by the House which provides $11,294,000 for the pay demonstration project and associated operational support costs. The Committee's recommendation fully approves the staffing level for the field maintenance staff proposed in the budget estimate.

### LEASED TELECOMMUNICATIONS SERVICES

The Committee recommends $268,073,000 for this activity. The Committee's recommendation is the same as the House allowance and $5,341,000 below the budget estimate. It also represents an increase of $31,289,000 over the fiscal year 1989 enacted level.

### ADMINISTRATION OF AVIATION STANDARDS PROGRAM

The Committee recommends $426,383,000 and 6,755 positions for this activity.

The increase of 696 positions over the fiscal year 1989 level contains increases requested in the budget proposal including: 400 additional safety inspectors and support personnel; 100 additional attorneys and legal support personnel; 60 additional aircraft certification personnel; 12 additional safety systems staff; 120 additional civil aviation security staff; and 4 transferred from headquarters administration.

At this level the total number of inspector positions will be 2,798 which as noted in the House report, is a 74-percent increase since fiscal year 1985. It is expected that FAA will place increased emphasis on operation and maintenance investigations, and inspections; and airman certifications.

In addition, increased emphasis is placed in the aviation security area in the wake of the tragic terrorist actions against Pan Am flight 103. The Committee has provided an additional 120 staff positions in the security area, which is expected to result in a 28-percent increase in foreign airport assessments; a 10.5-percent increase in U.S. carrier foreign station inspections; an approximately 10-percent increase of foreign air carrier inspections; and increased drug interdiction and hazardous materials inspections.

### DEVELOPMENT DIRECTION

The Committee recommends $15,400,000 and 143 positions for the planning, directing, monitoring, and coordinating of FAA's research, development, engineering, test, and evaluation programs, excluding medical activities. The Committee's recommendation is $923,000 below the budget estimate and $92,000 below the House allowance.

### ADMINISTRATION OF AIRPORTS PROGRAM

The Committee recommends $36,500,000 and 515 positions for this program. The amount recommended represents a $3,547,000 increase over the fiscal year 1989 level. Under this program, FAA makes airport safety and certification inspections, assures compliance with safety standards, resolves environmental issues, operates the Airports Grants Program, and carries out other activities associated with the development and improvement of the Nation's system of public airports.

#### *Airport capacity projects*

The Committee concurs with the House's recommendation regarding increases to continue airport capacity planning and development projects. An industry task force on airport capacity improvement and delay reduction, established at FAA in 1982, has identified a number of technological concepts which, if implemented, could provide short- and long-term capacity increases at the most congested airports. The Committee believes that it is necessary that the airports program office devote sufficient resources in the capacity area so that the products of the airport capacity research and development effort will be implemented in the field.

### *Underutilized airports case studies*

As noted above, since 1982 under the auspices of the FAA, an industry task force has been studying ways of increasing airport capacity. The Committee concurs with the House in directing the Airport Capacity Office to undertake case studies of airports that are underutilized and could possibly relieve congestion at major hubs. The Office needs to assess the willingness of the Nation's airlines to support such a strategy for capacity enhancement and use the potentially new connecting hub airports identified in the 1988 airport capacity enhancement plan.

The Committee is also aware of proposals of establishing regionally located wayports throughout the Nation to serve as transfer points for cargo and passengers. The Committee directs the FAA to study the feasibility of wayports as a long-term alternative for improving our Nation's air capacity.

In addition, the Committee directs the FAA to study the feasibility of creating regional air cargo facilities that could alleviate the congestion at major airports in the immediate area. The study should include the impact of a possible air freight and cargo operations facility that would alleviate congestion and thereby increase capacity at the major airports in the Washington, DC, area, (Dulles International, National Airport, and Baltimore/Washington International). The Committee notes the support that the FAA has given this concept in its support of the new Alliance, TX, airport which will serve the needs of the Dallas/Fort Worth area by providing for air freight and cargo operations which will relieve operations at the Dallas/Fort Worth International Airport [DFW]. To maximize the utilization of the new Alliance airport and to provide relief for DFW, (assuming that it is technically feasible), the FAA is encouraged to provide the necessary landing aids and to equip a control tower at this location during fiscal year 1990.

## HUMAN RESOURCES MANAGEMENT

The Committee recommends $299,000,000 and 1,400 positions for human resource planning and evaluation, and the administration of FAA employee recruitment, compensation, centralized training, employee relations, and labor-management relations. The recommended funding represents an increase of $62,475,000 and 144 positions over the fiscal year 1989 level.

The Committee concurs with the concerns expressed in the House report regarding the need for FAA to improve in the areas of recruitment, screening, and training. The General Accounting Office [GAO] has testified before the Committee on several occasions that FAA's overall management of its critical safety work forces needs improvement in several areas, including recruiting, training, and staffing. The Committee is encouraged that FAA has recently launched a host of initiatives to address these problems. Even with these new initiatives and the progress it has made in the hiring and certifying new controllers, FAA may not be able to meet staffing goals set by the Committee. The agency also faces a major policy decision on how it will maintain its current equipment and how it will staff the needs of operating and maintaining the new more technologically advanced equipment associated with the national airspace system [NAS] modernization.

The Committee supports increased funding for aviation safety inspectors and the field maintenance work force. The Committee is concerned, however, that FAA needs to develop a system to generate new hires to replace its existing work force, including safety inspectors and maintenance technicians. This problem can become even more acute in the maintenance area, if NAS plan delays require the existing equipment to be used longer than originally planned.

The Committee is recommending approximately $1,700,000,000 in the "Facilities and equipment" account for the modernization of the national airspace. It is incumbent upon the FAA to ensure, in addition to procuring the equipment necessary to modernize the Nation's airspace, that qualified, trained personnel are available to operate and maintain that system. In addition, the growth in aviation requires a work force that is trained in the latest airframe, powerplants, and avionics technology. The need for which was tragically underscored by the recent DC–10 powerplants explosion on United flight 232. Accordingly, the Committee has provided $3,000,000 above that requested to assist in establishing the Mid-Atlantic Aviation Training and Education Center in Clarksburg, WV.

## DIRECTION, STAFF, AND SUPPORTING SERVICES

The Committee recommends $125,342,000 and 1,067 positions for this activity which supports FAA's primary programs. The Committee's recommendation is the same as the House allowance. The amount recommended represents an increase of $12,092,000 and 121 positions over the fiscal year 1989 enacted level.

## HEADQUARTERS ADMINISTRATION

As noted, the Committee concurs with the budget request to include funding for headquarters administration within the overall "Operations" account. The Committee has included $28,641,000 for this activity which includes the following administrative functions: accounting, budget, civil rights, international aviation, management systems, data systems, and policy and plans.

The FAA is considering regulations on exit row seating of passengers in commercial aircraft. These regulations are being developed in response to the Air Carriers Access Act of 1986, Public Law 99–435, which prohibits air carriers from discriminating against otherwise qualified handicapped individuals. The Committee is concerned that in developing these regulations that FAA not impose discriminatory seating restrictions on blind individuals, as required by Senate Commerce Committee Report 101–45

## GENERAL PROVISIONS

The Committee has included bill language in title III, general provisions, which would affect the FAA. One of the provisions allows for the transfer of airport property in Wyoming to the State highway department for use as a highway rest area. There are two provisions which affect Hawaii. The first would allow the State to use general aviation funds at primary airports. The other provision would allow the FAA to convey land, known as the Naval Recreation Area at Keehi Lagoon, for the purpose of improving and expanding adjacent harbor facilities.

## AIRLINE SMOKING BAN

The Committee has amended section 335 of the House-passed bill, to permanently ban cigarette smoking on domestic airline flights.

On February 10, 1989, a study on the exposure of nonsmokers on airline flights to cigarette smoke was published in the journal of the American Medical Association. That study, conducted by a group of scientists led by researchers from the National Cancer Institute and the Environmental Protection Agency, showed that nonsmoking passengers and flight attendants are exposed to equivalent amounts of nicotine as smoking passengers.

This study confirmed concerns about the health risks posed by passive smoking. In the United States, 390,000 people die each year from smoking-related causes. The Surgeon General estimated that as many as 5,000 nonsmokers die each year from inhaling smoke of others. The problems posed by cigarette smoke on airplanes can be even worse than those in other environments. Newer, more fuel-efficient planes utilize increasing amounts of recirculated air, increasing the exposure of passengers to smoke.

The dangers of passive smoking continue to be of continuing concern to the Committee. The Committee adopted a provision on the fiscal year 1988 Transportation appropriations bill banning smoking on some commercial domestic flights. That ban has been implemented very successfully, with overwhelming public acceptance. Based on this experience, and mounting scientific evidence on the dangers of passive smoking, especially in a confined environment like an airline cabin, the Committee has included this provision to prohibit smoking on domestic airline flights.

The Senate amendment treats all airlines alike, that is, if the prohibition on smoking applies to any airline's flight segment between any two cities it applies to all airlines' flight segments between those two cities. This prohibition is applied without regard to whether the airline in question is a domestic or is a foreign airline flying within the United States on the continuing segment of a flight from a foreign port to a U.S. gateway.

## Facilities and Equipment (Airport and Airway Trust Fund)

| | |
|---|---|
| Appropriations, 1989 | $1,384,528,000 |
| Budget estimate, 1990 | 1,955,000,000 |
| House allowance | 1,732,000,000 |
| Committee recommendation | 1,780,131,000 |

Under the "Facilities and equipment" appropriation, safety, capacity and efficiency of the Federal airway system are improved by the procurement and installation of new equipment and the construction and modernization of facilities to keep pace with aeronautical activity and in accordance with the Federal Aviation Administration's comprehensive national airspace system [NAS] plan.

The bill includes an appropriation of $1,780,131,000 for the facilities and equipment of the Federal Aviation Administration. The funding breakdown follows:

| | Fiscal year 1989 appropriation | Fiscal year 1990 budget estimate | House allowance | Committee recommendation |
|---|---|---|---|---|
| Air route traffic control centers | $559,563,100 | $776,671,800 | $761,080,000 | $763,003,100 |
| Airport traffic control towers | 422,180,000 | 608,946,900 | 422,982,000 | 486,948,200 |
| Flight service facilities | 48,830,000 | 44,000,000 | 35,000,000 | 40,000,000 |
| Air navigation facilities | 130,360,500 | 113,597,400 | 132,455,000 | 106,329,700 |
| Housing, utilities, and miscellaneous | 200,453,785 | 301,606,900 | 273,388,000 | 272,673,000 |
| Aircraft and related equipment | 9,856,500 | 11,591,000 | 12,591,000 | 12,591,000 |
| Development, test, and evaluation | 12,940,000 | 24,990.000 | 24,990,000 | 24,990,000 |
| Personnel compensation, benefits, and travel | | 73,596,000 | 73,596,000 | 73,596,000 |
| Total | 1,384,183,885 | 1,955,000,000 | [1] 1,732,000,000 | 1,780,131,000 |

[1] Includes undistributed reduction of $4,082,000 for program slippages and deobligations.

The Committee's recommended distributions of the funds for each of the major accounts are as follows:

| | Fiscal year 1990 budget estimate | House allowance | Committee recommendation |
|---|---|---|---|
| Air route traffic control centers: | | | |
| Long range radar | $39,048,000 | $39,048,000 | $39,048,000 |
| Radar microwave link replacement/expansion | 19,803,000 | 15,000,000 | 15,000,000 |
| NEXRAD | 5,807,500 | 5,808,000 | 4,807,500 |
| ATC en route radar facilities improvements | 4,988,800 | 4,977,000 | 4,977,000 |
| Advanced automation system | 366,800,000 | 365,000,000 | 365,000,000 |
| Software development and integration | 13,000,000 | 11,000,000 | 11,000,000 |
| Central weather processor | 9,177,000 | 9,177,000 | 9,177,000 |
| Aeronautical data link | 6,800,000 | 6,800,000 | 6,800,000 |
| Automation improvements | 6,790,600 | 5,000,000 | 6,790,600 |
| ODAPS/EARTS software | 3,700,000 | 3,700,000 | 3,700,000 |
| NADIN II | 11,172,000 | 11,170,000 | 11,170,000 |
| ARTCC improvements/modernization | 43,173,000 | 38,000,000 | 40,000,000 |
| Data multiplexing network | 7,728,000 | 7,725,000 | 7,728,000 |
| Communications facilities consolidation/networking | 2,000,000 | 2,000,000 | 2,000,000 |
| Communications and control facilities improvements | 8,860,500 | 8,860,000 | 8,600,000 |
| Traffic management system | 17,701,000 | 17,700,000 | 17,700,000 |
| Voice switching and control system [VSCS] | 184,853,000 | 184,850,000 | 184,240,000 |
| Communications expansion | 11,890,000 | 11,890,000 | 11,890,000 |
| High capacity voice recorders | 8,379,000 | 8,375,000 | 8,375,000 |
| Air-ground radio frequency interference elimination | 5,000,400 | 5,000,000 | 5,000,000 |
| Subtotal, air route traffic control centers | 776,671,800 | 761,080,000 | 763,003,100 |
| Airport traffic control towers: | | | |
| Terminal doppler weather radar | 107,000,000 | 107,000,000 | 107,000,000 |

| | Fiscal year 1990 budget estimate | House allowance | Committee recommendation |
|---|---|---|---|
| Mode S spare parts, support, repairs | 27,000,000 | 25,000,000 | 25,000,000 |
| Terminal radar upgrades | 8,101,500 | 8,100,000 | 8,100,000 |
| Airport surveillance radars | 10,000,000 | 10,000,000 | 10,000,000 |
| Terminal NEXRAD | 11,735,000 | 11,735,000 | 11,735,000 |
| Parallel and converging runway monitors | 13,500,000 | 13,500,000 | 9,500,000 |
| Special surveillance system | 14,000,000 | | |
| Los Angeles Basin facilities consolidation | 19,236,300 | 19,200,000 | 19,200,000 |
| Terminal automation improvements | 8,000,000 | 8,000,000 | 8,000,000 |
| Mode C intruder | 14,490,000 | 14,490,000 | 14,490,000 |
| Dallas/Fort Worth Metroplex expansion | 54,300,000 | 53,000,000 | 53,000,000 |
| ATC terminal software costs | 3,000,000 | 3,000,000 | 3,000,000 |
| Remote maintenance monitoring | 35,833,000 | 23,700,000 | 23,700,000 |
| Tower replacements | 18,800,000 | 18,800,000 | 18,800,000 |
| Tower/TRACON modernization | 7,222,600 | 7,222,000 | 7,222,600 |
| Integrated communications switching systems | 9,434,900 | 9,435,000 | 9,434,900 |
| Interim support plan | 110,000,000 | 73,000,000 | 80,000,000 |
| Terminal communications improvements | 13,865,700 | 13,000,000 | 13,865,700 |
| New Denver airport facilities | 102,152,300 | | 50,000,000 |
| Tower communications system | 2,000,000 | 2,000,000 | 2,000,000 |
| Camarillo, CA, tower establishment | 2,800,000 | 2,800,000 | 2,800,000 |
| Transceiver replacement | 6,375,600 | | |
| Radio tone control equipment | 10,100,000 | | 10,000,000 |
| Subtotal, airport traffic control towers | 608,946,900 | 422,982,000 | 486,948,200 |
| Flight service facilities: | | | |
| Flight service station modernization | 17,500,000 | 11,000,000 | 13,500,000 |
| Very high frequency direction finder network | 15,700,000 | 14,500,000 | 15,700,000 |
| Flight service facilities improvements | 1,800,000 | 500,000 | 1,800,000 |
| Direct user access terminal system [DUATS] | 9,000,000 | 9,000,000 | 9,000,000 |
| Subtotal, flight service facilities | 44,000,000 | 35,000,000 | 40,000,000 |
| Air navigation facilities: | | | |
| VOR/DME | 15,746,800 | 11,725,000 | 10,746,800 |
| Nondirectional radio beacon facilities establishment/replacement | 750,000 | 750,000 | 750,000 |
| MLS demonstration program | 30,000,000 | 12,000,000 | 12,000,000 |
| Approach lighting system improvement program | 9,500,000 | 4,800,000 | 4,800,000 |
| Automated weather observing system [AWOS] | 10,555,400 | 10,555,000 | 10,555,000 |
| Visual navaids | 11,499,200 | 6,500,000 | 7,500,000 |
| St. Louis LDIN | | (1,500,000) | 1,500,000 |
| Instrument landing systems | 23,275,000 | 23,275,000 | 23,275,000 |
| Runway visual range | 4,452,900 | 4,450,000 | 4,452,900 |
| ILS/RVR capacity enhancements | | 51,000,000 | 22,931,900 |
| Airport approach and landing aid facilities improvements | 3,568,100 | 3,500,000 | 3,568,100 |
| Automated flight procedures development for terminal navigation facilities [IAPA] | 4,250,000 | 3,900,000 | 4,250,000 |
| Subtotal, air navigation facilities | 113,597,400 | 132,455,000 | 106,329,700 |
| Housing, utilities, and miscellaneous facilities: | | | |
| National radio communications system [NARACS] | 4,655,000 | 4,650,000 | 4,650,000 |
| Unmanned facilities improvements | 25,394,300 | 20,000,000 | 20,000,000 |
| Airport cable loop system | 3,506,600 | 3,500,000 | 3,500,000 |
| Computer-based instruction | 7,595,000 | 7,595,000 | 7,595,000 |
| Electrical power system improvements | 15,383,600 | 12,000,000 | 13,500,000 |
| Fuel storage tank replacements | 10,749,700 | 6,000,000 | 6,000,000 |
| ADP facilities management (CORN) | 24,220,800 | 9,000,000 | 9,000,000 |
| Automated command and control technology | 10,000,000 | 10,000,000 | 10,000,000 |
| Maintenance control centers | 4,250,400 | 4,250,000 | 4,250,000 |
| Land/easement purchases | 3,000,000 | 3,000,000 | 3,000,000 |
| Airport datum monument program | 1,500,000 | 1,500,000 | 1,500,000 |
| Washington National Airport hangar refurbishment | 1,250,000 | 1,250,000 | 1,250,000 |
| Employee safety upgrades at towers | 5,500,000 | 5,500,000 | 5,500,000 |

| | Fiscal year 1990 budget estimate | House allowance | Committee recommendation |
|---|---|---|---|
| Systems engineering and support | 109,500,000 | 109,500,000 | 109,500,000 |
| Air navigation facility/ACC system support | 8,100,000 | 8,000,000 | 8,000,000 |
| Mike Monroney Aeronautical Center—lease | 7,191,000 | 7,191,000 | 7,191,000 |
| Logistics support services | 6,300,000 | 6,000,000 | 6,300,000 |
| Air navigation aids/ATC facilities improvements | 3,258,500 | 3,000,000 | 3,200,000 |
| Frequency and spectrum engineering | 1,815,000 | 1,815,000 | 1,800,000 |
| Human resource management plan for NAS transition/implementation | 2,000,000 | 1,000,000 | 2,000,000 |
| Test equipment/printed circuit board software | 3,800,000 | 3,800,000 | 3,800,000 |
| Air traffic control simulators | 13,000,000 | 13,000,000 | 13,000,000 |
| Advanced design and management control contract support | 6,700,000 | 6,000,000 | 6,300,000 |
| Independent operational test and evaluation | 1,440,000 | 1,440,000 | 1,440,000 |
| Hazardous materials management | 7,000,000 | 7,000,000 | 7,000,000 |
| ATC part-task trainers | 7,397,000 | 7,397,000 | 7,397,000 |
| Aircraft and airmen registry | 4,000,000 | 4,000,000 | 4,000,000 |
| Contract support | 3,100,000 | 3,000,000 | 2,000,000 |
| Mid-America Aviation Resource Consortium | | 3,000,000 | |
| Subtotal, housing, utilities, and miscellaneous facilities | 301,606,900 | 273,388,000 | 272,673,000 |
| Aircraft and related equipment: | | | |
| B–727 flight systems and avionics upgrade | 2,500,000 | 2,500,000 | 2,500,000 |
| TCAS OT&E equipment | | 1,000,000 | 1,000,000 |
| TCAS II (13 systems) | 1,200,000 | 1,200,000 | 1,200,000 |
| Visual contact lighting systems (62 systems) | 241,000 | 241,000 | 241,000 |
| B–727 simulator retrofit for low visibility operations | 1,300,000 | 1,300,000 | 1,300,000 |
| Turbojet training device | 80,000 | 80,000 | 80,000 |
| Turboprop training device | 80,000 | 80,000 | 80,000 |
| TCAS training device | 80,000 | 80,000 | 80,000 |
| CV–580 aircraft avionics upgrade and airframe refurbishment | 2,200,000 | 2,200,000 | 2,200,000 |
| Electronic flight instrumentation (7 systems) | 2,910,000 | 2,910,000 | 2,910,000 |
| B–727 long range fuel system | 1,000,000 | 1,000,000 | 1,000,000 |
| Subtotal, aircraft and related equipment | 11,591,000 | 12,591,000 | 12,591,000 |
| Development, test, and evaluation: | | | |
| FAA Technical Center Building lease | 5,290,000 | 5,290,000 | 5,290,000 |
| Atlantic City International Airport improvements | 1,200,000 | 1,200,000 | 1,200,000 |
| Technical Center laboratory modernization | 3,100,000 | 3,100,000 | 3,100,000 |
| Target generator facility | 13,000,000 | 13,000,000 | 13,000,000 |
| New ATC R&D laboratory | 2,000,000 | 2,000,000 | 2,000,000 |
| Engineering support equipment | 400,000 | 400,000 | 400,000 |
| Subtotal, development, test, and evaluation | 24,990,000 | 24,990,000 | 24,990,000 |
| Personnel compensation, benefits, and travel: | | | |
| Establishment/improvement of facilities | 63,642,000 | 63,642,000 | 63,642,000 |
| Flight inspection | 1,566,000 | 1,566,000 | 1,566,000 |
| Factory inspection/contract support | 6,767,000 | 6,767,000 | 6,767,000 |
| Aeronautical Center | 1,621,000 | 1,621,000 | 1,621,000 |
| Subtotal, personnel compensation, benefits, and travel | 73,596,000 | 73,596,000 | 73,596,000 |
| Total program level | 1,955,000,000 | 1,736,082,000 | 1,780,131,000 |
| Minus slippages/deobligations | | (4,082,000) | |
| Total appropriation | 1,955,000,000 | 1,732,000,000 | 1,780,131,000 |

## AIR ROUTE TRAFFIC CONTROL CENTERS

The Committee recommends $763,003,100 for various improvements at air route traffic control (en route) centers. This is a 36-percent increase over the fiscal year 1989 funding level. It also provides $1,923,100 more than the House allowance and is only $13,668,700 below the budget estimate.

The Committee's recommendation generally provides the same funding levels as the House allowance for each of the programs within this account, except the Committee recommends the full amounts as requested by the administration for automation improvements, and provides slightly more than the House for centers' improvements and modernization. The Committee has reduced the funding for the voice switching and control system due to slippage in the program's implementation dates.

There have been several important changes in the FAA communications environment since the inception of the NAS plan. The most important of these is the increasing amounts of high speed digital data transmissions. At the same time there is no longer a need to transmit broad band radar data which dictated the decision to implement an analog radio communications system.

To meet the needs of this new environment a digital transmission system is required. This should result in savings in two areas: implementation of digital rather than obsolete analog systems and reduced leased services costs. Therefore, the FAA is directed to immediately implement such a system, consistent with the NAS plan digital technology of today and the future long-term requirements.

*Air route traffic control centers*

Long-range radar sites:
- Bucks Harbor, ME
- Crescent City, CA [1]
- Cross City, FL [2]
- El Paso, TX
- Ellington, TX [2]
- Empire, MI
- FAA Aeronautical Center
- Finely, ND
- Fort Lonesome, FL
- Fort Fisher, NC [2]
- Gibbsboro, NJ [2]
- Jedburg, SC [1]
- Kenai, AK
- Lake Charles, LA [1]
- Lakeside, MT
- Makah, WA [1]
- Malmstrom, MT
- Mica Peak, WA
- Mill Valley, CA [1]
- Mount Kaala, MT
- Mount Santa Rosa, Guam [2]
- Mount Laguna, CA
- Nashwauk, MN
- North Truro, MA
- Oceana, VA [1]
- Odessa, TX
- Oilton, TX
- Paso Robles, CA [1]
- Patrick, FL
- Phoenix, AZ
- Richmond, FL
- Riverhead, NY
- Salem, OR [2]
- Silver City, NM
- Slidell, LA [2]
- Sonora, TX

Tyndall, FL[2]
Utica, NY
Watford City, ND[2]
Whitehouse, FL

[1] Funded in fiscal year 1989.
[2] Funded in fiscal year 1990.

### AIRPORT TRAFFIC CONTROL TOWERS

The Committee's recommendation is for $486,948,200 which is $63,966,200 above the House allowance, differences include:

*Special surveillance radar*

The Committee's recommendation does not include $14,000,000 requested for a special surveillance system. The House also deleted funding for this system from the "Facilities and equipment" account, but added it under the "Research, engineering, and development" account. The Committee concurs in the view of the House that this system belongs more properly under research and development until it is clear how this radar will be integrated into regular air traffic control operations and whether additional systems should be procured. However, the Committee does not provide the requested funds. In that regard, the Committee believes that the FAA should continue to borrow assets from the U.S. Army until testing is completed and final decisions on systems integration and deployment are made. The FAA annually provides air traffic control and other flight services to DOD aircraft costing over $500,000,000, for which no reimbursement is provided. Therefore, the Committee expects FAA to make every effort to save procurement funds by making maximum use of DOD assets even on a temporary basis.

*Parallel and converging runway monitors*

The Committee has provided $9,500,000 or $4,000,000 below that requested and provided by the House for the parallel and converging runway monitors. The Committee has done this without prejudice to the program. The Committee notes, however, that testing of these monitors is still in progress, and it is unclear whether buying this system would affect the funding needs for other capacity research and improvements. This system is not part of the NAS plan and the Committee has no information how it would be integrated into the other systems being developed and procured. The request was made based on an assumption that the testing would be successful. The Committee allowance provides funds for additional prototype procurement and further testing.

*Mode C intruder*

The Committee has provided $14,490,000 for the Mode C intruder program. This is the full amount requested. The Committee, however, is concerned about a GAO report that questions the capacity of FAA's existing computers to accommodate the workload imposed by this new equipment. The Committee believes that additional funds for this item depends on after receipt of FAA's response to GAO's recommendation regarding analysis of computer capacity. Also, it is unclear given the budget submission whether or not the computer hardware being procured to backup existing airport traffic control towers' computers (ARTS II A system) is included in the interim support plan and needs to be addressed by the agency.

*Denver airport*

The Committee has included $50,000,000 for the new Denver airport. The city has completed site selection, environmental impact studies, and has started necessary land acquisition. The new airport is scheduled to open in early 1993 and would increase overall system capacity by over 4 percent. This capacity increase will not benefit just the local area, but the entire nationwide system. This initial funding would be available for necessary engineering and design associated with the new air traffic control tower. Other necessary work includes purchase of an airport surveillance radar system, an instrument landing system [ILS CAT III], approach lights, weather sensors, navigational aids, communications, and other national airspace plan systems and equipment. As stated in the FAA budget request, "Establishment of a new airport in the Denver, CO, area will increase the air traffic system capacity, reduce delays, enhance air traffic safety, and provide for future expansion." The Committee takes exception to the House language which implies that the local authorities have not been in consultation with users and the FAA regarding this project. The Committee will consider additional funds (including reprogramming) for the airport once the financing plan and the construction timetable are agreed to between the sponsor and the Secretary, the environmental impact statement has been issued, and the Secretary is satisfied that reasonable consultations with all classes of users of the new airport have been undertaken by the sponsor.

*Interim support plan*

The Committee is concerned about FAA's continuous addition of modernization projects which are not part of the National Airspace System [NAS] plan, such as the interim support plan [ISP]. Specifically, FAA has never created a baseline for ISP projects, defining their number, extent, and how long they will be required. These projects have not been justified in a manner consistent with the rest of the NAS plan design. Therefore, by January 1990, the Committee wants FAA to identify and baseline the cost and schedule of all of its ISP projects and provide assurance that they are in conformity with the rest of the NAS plan.

The growth in air traffic control modernization requirements has resulted in the designation of "other" F&E projects, like ISP projects, which are not logically separable from NAS plan projects. Such classification and annual justification of separate budget items understates the real cost of the NAS modernization effort. For example, FAA presently counts the cost of about 600 microwave landing systems [MLS's] as a NAS project and the cost of about 350 other MLS's as other F&E. The potential financial impact of these additional projects and others still under consideration, which are necessary to fully realize NAS project benefits, is significant. GAO testified that the combined cost of all these F&E projects for modernizing the Nation's air traffic control system is about $27,000,000,000 on through the year 2000, a huge increase over FAA's estimate of $15,800,000,000 for the NAS plan.

The Committee believes the cost of air traffic control modernization has been acknowledged as a national priority and a singular initiative in legislated trust fund authorizations and appropriations. It wants this initiative reflected in a single plan, subject to the same design and engineering discipline as the NAS plan. Therefore, FAA shall combine all of the NAS and other F&E projects in a single plan and report these projects and their estimated costs to the Committee. The report should distinguish between funds already appropriated and funds needed in future budget requests.

For the last 2 years, GAO has testified before the Committee that the growth in air traffic control modernization costs points to the need for FAA to prioritize its F&E projects. The agency, however, has been unresponsive to date. FAA has been similarly unresponsive to Committee requests to identify probable impacts of proposed budget reductions on specific NAS projects. In fiscal year 1987, the Congress funded the development of data bases and analytic tools, now resident in the systems engineering and integration contractor [SEIC], for addressing these kinds of needs and requests. Using these data bases, the SEIC has already responded to internal requests to rank and prioritize projects through its value engineering effort.

The Committee views FAA's unresponsiveness to GAO's call to prioritize and to the Committee's requests for analyses with concern. It considers such information critical to the appropriations process. Any attempt to restrict GAO's access to data bases and analyses necessary to prioritize facility and equipment projects potentially impedes the Committee's work.

To address these concerns, the Committee directs FAA to provide GAO with a list of all of its F&E projects for air traffic control modernization, along with the net present value of each of these projects in constant year dollars. In addition, FAA should provide GAO two sets of benefit-cost ratios for each project, one based on funding through fiscal year 1989, and the other from fiscal year 1990 forward, each based on constant dollars. Such data would be similar to the lists GAO has already requested of the SEIC for the NAS plan. GAO should be provided these data no later than January 1990, in order to consider them in its testimony for the Committee on FAA's fiscal year 1991 budget request.

The Committee is convinced that the tools and capabilities employed complying with its requests will beneficially direct FAA and DOT management's attention to the potentially unacceptable funding levels required in future authorizations and appropriations by the current course of air traffic control modernization.

The Committee generally concurs with the House's reduction for the interim support plan. Based on the agency's reprogramming requests in fiscal year 1989, the amount recommended by the Committee, $80,000,000, appears adequate. The Committee, however, will consider additional reprogramming requests in fiscal year 1990 if additional resources are necessary for computer capacity enhancements to respond increased workload associated with the Mode C intruder rule.

*Transceiver replacement*

The Committee agrees with the House's observations regarding transceiver replacement and the need to resolve the procurement specifications relative to the NAS plan requirements.

*Radio tone control equipment*

Through fiscal year 1989, the Committee has provided a total of $133,589,600 for this program, some of which remains unobligated. The Committee directs the FAA to explore the use of commercially available equipment to improve voice intelligibility. The Committee has provided the requested funds based on the understanding that these funds are necessary to fund existing contractual obligations.

*Airport traffic control towers*

Terminal doppler weather radar locations:
- Andrews Air Force Base, MD [1]
- Atlanta, GA [1]
- Baltimore, MD [1]
- Boston, MA [1]
- Charlotte, NC [2]
- Chicago (Midway), IL
- Chicago (O'Hare), IL [1]
- Cincinnati (International), KY [2]
- Cleveland, OH [2]
- Columbus, OH
- Dallas (Love Field), TX [2]
- Dallas-Fort Worth, TX [1]
- Dayton, OH [1]
- Denver, CO [1]
- Detroit, MI [2]
- FAA Tech Center, NJ [2]
- FAA Aero Center, OK [2]
- Fort Lauderdale, FL [2]
- Houston (Hobby), TX [2]
- Houston International, TX [1]
- Indianapolis, IN
- Kansas City, MO [2]
- Louisville, KY [1]
- Memphis, TN [1]
- Miami, FL [1]
- Milwaukee, WI
- Minneapolis, MN [1]
- Nashville, TN [1]
- New York (La Guardia), NY [2]
- New York (JFK), NY
- New Orleans, LA
- Newark, NJ [1]
- Oklahoma City, OK
- Orlando, FL [1]
- Philadelphia, PA [2]
- Phoenix, AZ [2]
- Pittsburgh, PA [1]
- Raleigh-Durham, NC [2]
- St. Louis, MO [1]
- Salt Lake City, UT [2]
- San Juan, PR [1]
- Tampa, FL [1]
- Tulsa, OK
- Washington (Dulles), VA [2]
- Washington (National), VA [2]
- West Palm Beach, FL [2]
- Wichita, KS

ASR relocations:

- Abilene, TX
- Fresno, CA
- Lake Charles, LA

Video mappers:
- Boise, ID
- Portland, OR

Radar remoting to satellite towers (D-BRITE):
- Lancaster, PA
- Lawrence, MA
- New Bedford, MA
- Portland, ME

ASR-9 locations:
- Charlottesville, VA
- Gainesville, FL
- Missoula, MT
- Medford/Jackson,OR
- Nantucket, MA

Terminal NEXRAD locations:
- Andrews AFB/Washington National
- Atlanta
- Chicago O'Hare/Midway
- Dallas-Fort Worth/Love Field
- Denver
- FAA Technical Center
- Houston
- Memphis
- Miami-Fort Lauderdale
- Minneapolis
- New Orleans
- New York Kennedy/La Guardia
- Newark
- Orlando
- Pittsburgh
- St. Louis
- Tampa

Tower replacements:
- Chicago (O'Hare), IL
- Helena, MT
- Montgomery, AL
- New York (La Guardia), NY
- Newark, NJ
- Roswell, NM
- St. Louis, MO

Tower/TRACON modernization locations:
- Addison, TX
- Aspen, CO
- Baton Rouge, LA
- Chantilly (Dulles), VA
- Colorado Springs, CO
- Deer Valley, AZ
- Enid, OK
- Esler Field, LA
- Fargo, ND
- Flint, MI
- Goodyear, AZ
- Longview, TX
- Mesa, AZ
- Midlands, TX
- Niagara Falls, NY
- Oakland, CA
- Port Columbus, OH
- Portland, OR
- San Diego (Miramar), CA
- San Luis Obispo, CA
- Santa Fe, NM
- Scottsdale, AZ
- Tampa, FL

Texarkana, AR
Yakima, WA
Youngstown, OH

[1] Funded in fiscal year 1990.
[2] Funded in fiscal year 1989.

### FLIGHT SERVICE FACILITIES

The Committee's recommendation provides the budget requested level for flight service station [FSS] improvements, which the House reduced by $1,300,000. The Committee concurs with the House reduction of $4,000,000 associated with the national weather graphics display system and will review the proposed new system in context of the GAO report requested by the House Committee. The Committee has not concurred with the reduction for FSS consolidation. It realizes that there might be delays in installing model 1 full capacity and directs that the fiscal year 1991 budget document clearly delineate how the FSS modernization program is being affected by equipment delivery slippage.

### AIR NAVIGATION FACILITIES

The Committee concurs in the views and reservations expressed by the House as a basis for reducing the amounts provided for VOR/DME (TACAN antenna portion), the MLS Demonstration Program, the Approach Lighting System Improvement Program, and the Visual Navaids Program. The Committee, however, does not concur in the House decision to add $51,000,000 for ILS/RVR capacity enhancements. The Committee agrees that, because of the delays encountered in the MLS programs, additional instrument landing systems [ILS] and associated runway visual range equipment is required to enhance capacity. In that regard, the Committee's recommendation of $22,932,000 for instrument landing systems and runway visual range equipment plus those ILS's provided for under the Airport Improvement Program represents a sufficient increase over and above the budget estimate, given the overall increases in funding requirements for all other facilities and equipment related programs that have to be met.

In addition to the $23,275,000 for instrument landing systems and $4,452,900 for runway visual range equipment that was requested by the administration and recommended by both the House and Senate, the Committee is recommending an additional $22,932,000 for increased capacity enhancements. The Committee directs that additional ILS's be installed at the following locations: Bessemer, AL; Chicago [ORD] IL (2); Detroit, MI; Elkhart, IN; Natchez-Adams County, MS; Newark International, NJ; Olathe Executive Airport, KS; Ogden-Hinckley, UT; Portland, ME; Syracuse, NY; and West Memphis, AR. The Committee further directs that the following airports receive runway visual range equipment: Baltimore International, MD (2); Chicago [MDW], IL (2); Philadelphia International, PA ; San Antonio, TX; and, Syracuse, NY.

Additional funding is also provided for a precision approach pathway indicator for Morristown Airport, NJ; the necessary distance measuring equipment for Bessemer Airport, AL; a directional finder for Salisbury-Wicomico Airport, MD; an automated weather observation system for Mountain Home Airport, AR; an airport surveillance radar for Wood County Airport, WV; an additional instrument landing system for Pulliam Airport, Flagstaff, AZ, and an airport surveillance radar at Roswell, NM; a nondirectional beacon/distance measuring equipment for St. George, AK; and a possible terminal radar approach control system at the Eastern West Virginia Regional Airport in Martinsburg, WV, to support the needs at that airport as well as Hagerstown, MD, and Winshester, VA.

The Committee agrees with the House Committee's observations regarding the microwave landing system. With the new funding provided for fiscal year 1990 plus prior years' appropriations, there exists sufficient funding for the demonstration program.

At this level of funding the Committee believes that there should be sufficient funds to allow for a limited buy of category II/III MLS test prototype systems, and to allow for the demonstration of back course or precision departure/missed approach guidance. It is expected, however, that at this level of funding the original scope of the planned August 1990 contract letting will have to be modified.

Through fiscal year 1988, the FAA has procured 349 medium intensity approach lighting system runway indicators [MALSR] under four different programs. Before additional funding is provided for this program, the FAA needs to identify MALSR runway overlaps and revise the specifications of the different programs for a consolidated, multiyear competitive procurement.

*Air navigation facilities*

VOR/DME facilities locations:
- Bauette, NM
- Burlington, WI
- Cedar Creek, TX
- Concordia, KS
- Gaylord, MI
- Gorden, NE
- Hillview, IL
- Inyokern, CA
- Marshalltown, IA
- Muscatine, IA
- Payson, AZ

*Instrument landing systems*

| | *Runway* |
|---|---|
| New locations: | |
| Baltimore, MD | 33R |
| Chadron, NE | 19 |
| Charlotte, NC | 18L |
| Dallas/Fort Worth, TX | 35L |
| Do | 36L |
| Gary, IN | 30 |
| Murray-Calloway, KY | 23 |
| Nashville, TN | 13 |
| Newark, NJ | 11 |
| Phoenix, AZ | 26R |
| Portland, OR | 10L |
| Raleigh-Durham, NC | 05L |
| Waukegan, IL | 23 |
| Replacements: | |
| Atlanta | 09R |
| Do | 08L |
| Do | 08R |
| Chicago O'Hare | 32R |
| Do | 14L |

| | |
|---|---|
| Do | 27L |
| Do | 22R |
| Do | 32L |
| Do | 27R |
| Covington | 36 |
| FAA Academy | |
| Juneau, AK | 08 |
| Salt Lake City | 34L |
| San Francisco | 28R |
| Sitka, AK | 11 |
| Tampa | 36L |
| Tulsa | 35R |
| Wrangell, AK | 09 |

*Runway visual range equipment locations*

| Locations: | *Runway* |
|---|---|
| Atlanta, GA | Various (7) |
| Baltimore, MD | 33L |
| Chamblee, GA | 23L |
| Chantilly, VA | 01L |
| Charlotte, NC | Various (4) |
| Chicago, IL | Various (4) |
| Dallas (Love), TX | 13R |
| Dallas/Fort Worth, TX | Various (2) |
| Denver, CO | 26L |
| Detroit (Willow Run), MI | 06 |
| Detroit, MI | Various (3) |
| Greensboro, NC | Various (2) |
| Greenville, MS | 17L |
| Houston, TX | Various (5) |
| Houston (Hobby), TX | 12R |
| Kinston, NC | 04 |
| Louisville, KY | 29 |
| Memphis, TN | Various (3) |
| North Myrtle Beach, SC | 23 |
| Nashville, TN (Metro) | 21 |
| Do | 13 |
| New Orleans, LA | Various (2) |
| New York, NY | Various (6) |
| Owensboro, KY | 35 |
| Pittsburgh, PA | Various (4) |
| Roanoke, VA | 17 |
| Seattle, WA | 34R |
| Tampa, FL | 18L |
| Tuscaloosa, AL | 04 |

## HOUSING, UTILITIES, AND MISCELLANEOUS

The Committee shares the concerns expressed by the House in regard to the computer resources network [CORN] project and has reduced the funding accordingly.

The Committee also agrees with the House's reduction of funding for the fuel tank storage replacement program for the reasons delineated in the House report. The Committee has not provided the $3,000,000 earmarked by the House for the Mid-America resource consortium.

## PERSONNEL COMPENSATION, BENEFITS, AND TRAVEL

The Committee's recommended funding level will provide for 1,368 positions and 1,326 staff-years, as requested. This is an increase of 206 positions and 63 staff-years above the fiscal year 1989 level.

### AIRCRAFT PURCHASE

The Committee understands that the FAA currently operates a Gulfstream IV [G–IV] aircraft under a contract that allows for a 5-year lease with an option to purchase the aircraft. A lease-purchase arrangement is consistent with the conference agreement on the fiscal year 1988 facilities and equipment appropriation. The primary uses of the aircraft are currency and training, evaluation of the national airspace system, and transportation of departmental and National Transportation Safety Board officials. Compared to other similar aircraft, the G–IV offers greater operational flexibility and lower operating costs, and better meets FAA program requirements for currency and training. For example, the Committee understands that the G–IV has a greater range capability and greater cruise speed; has better takeoff and landing performance and ability to operate on shorter runways; and costs less to operate per flight hour due largely to better fuel efficiency. The G–IV also meets stage 3 noise standards allowing it to operate at a greater number of airports. The Committee believes that the G–IV better serves FAA currency, training, and evaluation needs because it provides current technology that more closely represents commercial and corporate aircraft. The Committee believes the G–IV will enhance inspector training because the aircraft is representative of a large number of airplanes in which FAA inspectors must be qualified. In addition, the in-house availability of currency training is expected to reduce the costs and time restrictions now associated with buying currency time from commercial airlines. The Committee further understands that the use of this aircraft allows FAA to fulfill multiple objectives each time it takes off. For example, it provides cost-effective transportation of FAA and departmental officials while also meeting the currency and evaluation functions which are also vital to the day-to-day management of the air traffic control system.

Given the benefits of the G–IV, and a positive cost-benefit ratio, the Committee directs the FAA to exercise the option to purchase the G–IV aircraft as soon as possible. The FAA is directed to report to the Committee by January 1, 1990, on the status of the purchase and source of funding.

## RESEARCH, ENGINEERING, AND DEVELOPMENT

### (AIRPORT AND AIRWAY TRUST FUND)

| | |
|---|---|
| Appropriations, 1989 | $160,000,000 |
| Budget estimate, 1990 | 165,000,000 |
| House allowance | 185,000,000 |
| Committee recommendation | 173,000,000 |

This appropriation finances research, engineering, and development programs to improve the national air traffic control system and to increase its safety, productivity, and capacity. The programs are designed to meet the expected air traffic demands of the future and to promote flight safety. The major objectives are to keep the current system operating safely and efficiently; to protect the environment; and to modernize the system through improvements in facilities, equipment, techniques, and procedures in order to insure that the system will safely and efficiently handle the volume of aircraft traffic expected to materialize in the future.

The bill includes $173,000,000 for research, engineering, and development. This level is $8,000,000 above the budget request and $12,000,000 below the House allowance. The Committee suggests the following allocation:

| | Fiscal year 1989 appropriation | Fiscal year 1990 budget estimate | House allowance | Committee recommendations |
|---|---|---|---|---|
| Air traffic control | $89,252,000 | $93,725,000 | $107,725,000 | $93,725,000 |
| Advanced computer | 23,067,000 | 18,683,000 | 18,683,000 | 18,683,000 |
| Navigation | 3,150,000 | 2,920,000 | 2,920,000 | 2,920,000 |
| Aviation weather | 12,878,000 | 13,287,000 | 13,287,000 | 13,287,000 |
| Aviation medicine | 6,097,000 | 6,513,000 | 6,513,000 | 6,513,000 |
| Aircraft safety | 23,701,000 | 27,872,000 | 33,872,000 | 35,872,000 |
| Environment | 1,855,000 | 2,000,000 | 2,000,000 | 2,000,000 |
| Total | 160,000,000 | 165,000,000 | 185,000,000 | 173,000,000 |

## AIR TRAFFIC CONTROL

The Committee recommends $93,725,000 for the air traffic control activity. This is an increase of $4,473,000 over the fiscal year 1989 level. This activity focuses on the adaptation and application of existing technology to the air traffic control system to enhance its operational safety, productivity, and capacity. Among the development projects funded are: an airborne traffic alert and collision avoidance system which will operate independently of the ATC system; improved switching systems for controller voice communications; automated en route air traffic control [AERA], which is a key function of the planned AAS system; and air/ground data link capability.

The Committee has not provided the $14,000,000 associated with a three dimensional radar system as earmarked by the House. The reason for deleting the funds was included under the "Facilities and equipment" account.

### *Airport capacity research*

The Committee concurs with the House in including $25,120,000 for airport capacity research. This is the same as the budget request. It is clear that airport capacity limitations are emerging as a more and more serious constraint on the national aviation system. And no one doubts that there are implications for the margin of safety as terminal congestion rises.

This additional funding is intended for research on possible capacity improvements identified by industry representatives. Specifically, it is expected that this additional funding will be used to expedite the development, demonstration, and implementation of such concepts as: reducing minimum separation standards for parallel and converging approaches; establishing special capacity task forces at the busiest airports; applications of computer modeling techniques to capacity projects; terminal area automation including automated planning, coordination, and traffic control aids; airspace procedures for triple and quadruple IFR approaches, including simulation and field tests; simulation and field demonstration of new airport pavement, lighting and marking designs to improve runway usage; and wake vortex surveillance and forecasting to enhance airport acceptance rates.

The Committee concurs with the House in the directive that the airport capacity category should include only those research and development projects whose objectives and anticipated benefits are preponderantly in the area of capacity enhancement. The Committee also joins the House in requiring a report, to be submitted by the end of this calendar year, on FAA's plan for carrying out these projects, including completion dates and estimated funding requirements for implementation.

### ADVANCED COMPUTER

The bill includes the full budget estimate, $18,683,000, for this activity which supports the development and deployment of NAS plan advanced automation systems for en route and terminal air traffic control. The higher levels of automation envisioned are intended to provide more reliable and safer operations in the context of expanding demand for air traffic services beyond the mid-1990's.

### NAVIGATION

The Committee concurs in the House allowance of $2,920,000 for this activity which provides for the expansion and modernization of common aeronautical navigation system facilities. Projects funded in this activity include application of the global positioning system [GPS] to the national airspace system, evaluation of methods to enhance the performance of the existing system, and examination of advanced ATC procedures with MLS curved approach and departure capabilities.

### AVIATION WEATHER

The Committee recommends $13,287,000 for this activity. The goal of the aviation weather program is to improve the timeliness and accuracy of weather information provided to the national airspace system. Elements of this activity are conducted in close cooperation with the National Weather Service, the Departments of Commerce and Defense, and the National Aeronautics and Space Administration. Among the areas emphasized are: weather radar development (NEXRAD and terminal doppler); the central weather processor; airborne windshear detection; expanded low-level windshear coverage; and automated weather observation systems.

### AVIATION MEDICINE

The bill includes $6,513,000 for aviation health and safety research. Projects funded under this activity focus on: the role of the human operator in the ATC system; the performance and work environment of airmen; the safety and health of pilots and aircrew; and the safety of passengers and certain ground personnel.

The Committee commends the FAA upon completion of part I of the human factors aircrew effectiveness research project, and believes it will have a significant impact on future aircrew standards and training. The Committee directs the FAA to proceed with part II of the project, which will involve the University Aviation Association [UAA] and a consortia of UAA institutions, and to provide part II projects funding directly to the same management organization that coordinated part I of the project, subject to final proposal approval by the FAA.

### AIRCRAFT SAFETY

The Committee recommends $35,872,000 for this activity which supports efforts to foster the design of safer aircraft and to increase the security of air travel. Principal program elements include research on: aircraft cabin safety; crashworthiness; preserving airworthiness in event of system failures; and explosive/sabotage detection. The amount provided includes $14,000,000 to support continued development of automated explosive and sabotage detection systems. This is $5,000,000 above the budget request.

The Committee urges the Federal Aviation Administration [FAA] to establish a protocol for benchmark testing of all airport security technologies. Such a protocol should become a normal part of the FAA's process for determining the best airport security technology.

Benchmark testing means that the FAA should develop a methodology for the testing of airport security technologies and apply this methodology in the actual testing of new technologies.

Tests shall include real world explosives most often used by terrorists, in a wide range of types, sizes, and weights, concealed in different ways to determine the strengths and weaknesses of each detection system. Testing must be conducted by those who have substantial expertise concerning terrorist bombings and activities. A comprehensive cost benefits analysis of each technology shall be a key aspect of every evaluation. The Committee recommends that the FAA develop an independent advisory group to oversee the conduct of these activities.

In order to focus all available resources on the problem of international terrorism directed at civil aviation, the Secretary is directed to undertake a study to determine what programs of the Department of Defense have application to and could be adapted quickly to enhance civil aviation security. The study should include relevant defense research and development programs in areas of explosives detection, terrorist identification and antiterrorist operations. In addition, the study shall include recommendations that are forwarded to the President's Commission on Aviation Security regarding how relevant Department of Defense programs can be utilized to enhance civil aviation. These recommendations shall also be forwarded to the relevant authorizing and appropriation committees of the House and Senate.

Within the amounts provided, the Committee has provided $3,000,000 above the budget request for an aircraft crash worthiness and structural air worthiness program. These funds are intended to initiate a university/industry/Government cooperative research and training center for aviation craft reliability with an emphasis on nondestructive evaluation technology. The initial funding should be concentrated on research and training projects.

It is expected that proposals will be reviewed by the FAA, industry, and the National Research Council.

### ENVIRONMENT

The Committee recommends $2,000,000, the full budget estimate, for research on aircraft noise control and pollution problems. This is the same as the House allowance. Among the major program emphases within this activity are studies supporting the development of procedures and equipment for reducing and controlling aircraft noise and engine emissions. Research is also conducted on land use compatibility planning and use restrictions.

*National Aviation Institute*

In the report accompanying the fiscal year 1989 bill, the Committee supported the establishment of the National Aviation Institute [NAI], a private, nonprofit organization dedicated to advancing aviation research, development, training, and education. Since then, the NAI has been formally endorsed by the Federal Aviation Administration and by private organizations representing a broad cross section of the aviation industry. They and FAA also have identified areas where the NAI could provide needed support for specific Government and industry objectives related to advancing the goals of U.S. aviation research and education. In view of the recognized need and support for the NAI and its goals and objectives, the bill provides $1,000,000 for FAA to enter into a grant with the NAI. The funds will be used to conduct research projects identified by FAA and the industry as being relevant to the advancement of aviation research.

*Airway science curriculum*

Within the $173,000,000 provided, the Committee directs that $3,000,000 be available for grants to institutions of higher learning for research, training, and course work in the airway science disciplines. It is expected that these grants will be in the areas of air traffic control, navigation, weather, medicine, safety, and environment. These funds are in addition to those expressly provided for the National Aviation Institute. The Committee directs the FAA to honor its contract with the University of North Dakota to continue research on aircraft icing and wind shear, and the Committee directive on aircraft crash worthiness and structural worthiness.

## GRANTS-IN-AID FOR AIRPORTS

### (LIQUIDATION OF CONTRACT AUTHORIZATION)

### (AIRPORT AND AIRWAY TRUST FUND)

| | |
|---|---|
| Appropriations, 1989 | ($1,150,000,000) |
| Budget estimate, 1990 | (1,166,000,000) |
| House allowance | (1,190,000,000) |
| Committee recommendation | (1,190,000,000) |

The Airport and Airway Improvement Act of 1982, as amended, authorizes a program of grants of funds for airport planning and development, and noise compatibility planning and projects for public use airports in all States and territories.

The Committee recommends $1,190,000,000 in liquidating cash for grants-in-aid for airports. This increase over the budget is consistent with the Committee's obligation limitation on airport grants.

### LIMITATION ON OBLIGATIONS

The bill also includes a limitation on obligations for airport development and planning grants which are financed under contract authority. The limitation recommended for fiscal year 1990 is $1,500,000,000. This is $150,000,000 more than the budget request and the same as the House allowance.

The Committee has included bill language which would make $100,000,000 of the $150,000,000 increase available specifically for airport capacity projects. The bill language would insure that the $100,000,000 is set aside for discretionary grants, separate from formula grants and in addition to discretionary grants available under current law.

The recommended increase over the budget is intended to support a more rapid expansion of airport capacity. Airport facilities are obviously a major factor in overall system capacity and safety and will become an increasingly important constraint as the volume of air traffic continues to rise. Accordingly, the Committee expects that FAA will concentrate the resources provided, on projects that directly enhance the capacity and safety of the aviation system.

Within the obligation level recommended, the Committee directs that priority be given to grant applications involving the further development of the following airports:

Albany County Airport, NY
Athens-Ben Epps Airport, GA
Allentown, Bethlehem, Easton Airport, PA
Atlantic City International Airport, NJ
Aurora Municipal Airport, IL
Austin Airport, TX
Baer Field Airport, IN
Baltimore-Washington International Airport, MD
Bartlesville Airport, OK
Bay Bridge Airport, MD
Bellingham Airport, WA
Birmingham Airport, AL
Bloomington-Normal Airport, IL
Bradley International Airport, CT
Caldwell Airport, NJ
Cape May Airport, NJ
Carroll Airport, IA
Cheyenne Airport, WY
Chicago Meigs Airport, IL
Chicago Midway Airport, IL
Chicago O'Hare International Airport, IL
Colorado Springs Municipal Airport, CO
Denver Airport, CO
Douglas County, NV
Dutchess County Airport, NY
Fountainhead Parks Airport, OK
Fulton County Airport/Brown Field, GA
Garrett County Airport, MD
Gary Regional Airport, IN

Grand Forks International Airport, ND
Greater Buffalo International Airport, NY
Greater Pittsburgh International Airport, PA
Greater Rochester Airport, NY
Hull Airport, TX
Jacksonville International Airport, FL
John F. Kennedy International Airport, NY
Lynchburg Airport, VA
Magnolia Airport, AR
McCarran Airport, NV
Mercer County Airport, NJ
Merrill C. Meigs Field Airport, IL
Miami International Airport, FL
Minneapolis, St. Paul International, MN
Mountain Home Airport, AR
Natrona County International Airport, WY
Newark International Airport, NJ
Niagara Falls International Airport, NY
Okmulgee Airport, OK
Orlando International Airport, FL
Outagamie County Airport, WI
Pearson Airpark, WA
Philadelphia International Airport, PA
Portland International Airport, OR
Red Bay Airport, AL
Salisbury-Wicomico Regional Airport, MD
Sand Point Airport, AK
Seattle-Tacoma International Airport, WA
Sheridan County Airport, WY
South Jersey Regional Airport, NJ
Southwest Regional Airport/Fort Meyers, FL
Stewart International Airport, NY
Syracuse Hancock International Airport, NY
Tampa International Airport, FL
Taos Municipal Airport, NM
Toledo Express Airport, OH (Toledo-Lucas Co. Port Auth.)
Virginia Highlands Airport, VA
Waukesha County Airport, WI

### *Local capacity surcharge study*

The Committee concurs in the views of the House regarding the need for better information on possible alternatives for funding the capacity needs of our national system of airports. Thus, the Committee joins the House in its requirement that the Secretary conduct a study of innovative funding mechanisms and the issues associated with locally imposed surcharges on airline passengers by airport operators for the purpose of providing needed airport capacity.

### *Instrument landing systems*

The Committee directs that up to $15,000,000 be allocated from the airport improvement program for the purchase or lease and installation of instrument landing systems for the following airports: Brookings, SD; Brookley, AL; Great Bend, KS; island of Lanai, HI; Lawrence, KS; Mitchell, SD; Newton, IA; Ponca City, OK; Spencer, IA; and Stillwater, OK. In addition, the Committee has included bill language, also included by the House, which transfers the ownership of ILS's purchased with grant funds from the airport sponsor to the FAA. This change would also make the FAA responsible for operation and maintenance of the transferred equipment.

### *Airport access control security*

The Committee is concerned that airport operators be able to comply with FAA's final rule on access to secured areas of airports, effective February 8,1989. The Committee is aware that industry groups have urged FAA to conduct operational testing of access control systems before requiring implementation across the country. The Committee believes that operational testing of access control systems of varying size and complexity is desirable, and the results of such testing be disseminated throughout the industry. The Committee, therefore, directs that out of the funds provided the FAA make available the necessary security specialists and other support that would be involved for operational testing and evaluation at four selected airports. The Committee expects that the selected airports will be of different size and reflect different passenger mixes, and that these airports receive priority consideration in funding through the discretionary allocation process to cover the costs of the testing program including the necessary access control equipment.

### *Airport consideration*

*Los Angeles International Airport.*—The Committee expects the city of Inglewood, CA, to receive priority consideration for its application to recycle noise impacted land near Los Angeles International Airport. The Committee supports this innovative use of noise mitigation funds and encourages the continues participation of FAA to implement the recommendations of the land use compatibility study (LAX-ANCLUC).

*Philadelphia International Airport.*—The Committee notes that the Philadelphia airport which serves the fifth largest metropolitan area has experienced a passenger increase of nearly 100 percent and an operations increase of approximately 45 percent over the past decade. The airport has recently initiated a major capacity expansion program that will take 6 years to fully complete. The Committee directs that priority consideration be given to the capacity expansion grant requests made by the airport authorities.

*Grand Forks International.*—The Committee notes that FAA operations figures show that a successful pilot training program at Grand Forks, ND, has created capacity problems at the Grand Forks International Airport. Operations currently exceed those at several large hub airports in the Great Lakes region and are expected to increase. The Committee supports the continued training of airline pilots and has listed the airport for priority consideration for discretionary funds.

*Luis Mũnoz Márin International.*—The Committee recognizes the importance of the new tower to the economic development of Puerto Rico and, therefore, directs the FAA to provide a report to the Committees on Appropriations no later than January 1, 1990, which will identify a schedule for expedited construction. The Committee also encourages the FAA to develop a financing plan to enable construction to begin as soon as possible.

*Outagamie County Airport, Appleton, WI.*—The Committee recognizes that the strengthening of runway 3/21, the primary runway, is the Wisconsin Department of Transportation's top priority airport project for fiscal year 1990. The secondary runway has been refurbished in anticipation of this much-needed project on runway 3/21. In the last 3 months, the runway has shown signs of severe distress, and emergency patches are expected to have a limited lifespan, with adverse effects expected during the freeze/thaw cycle in the late winter and spring of 1990. Because of the cost of this project, discretionary funds will be needed in addition to the airport's entitlement dollars.

*Bradley Field, CT.*—A request for $10,000,000 will be made for the repair of runways at Bradley Field in fiscal year 1990 from the airport improvement discretionary funds. Bradley is the second largest airport in New England, with 18 airlines providing 330 daily flights. In 1988, 5 million passengers took scheduled flights from the airport, compared with 1982 when 15 airlines provided 175 daily flights, carrying 2.5 million passengers.

The State of Connecticut made a major commitment to improve the airport through a $100,000,000 construction program. The airport's runways were primarily constructed during World War II, and they have never been fully reconstructed. The cost estimate for reconstruction is $60,000,000. The State has programmed its annual entitlement funds, some $3,500,000 annually, for the project.

*Carroll Airport, Carroll, IA.*—The Committee listed the Carroll Airport, Carroll, IA, for funding in fiscal year 1989 and notes that the airport has not yet received funding. The Committee believes that the runway construction at the airport should be completed as soon as possible. The Committee requests that the FAA report to the Committee by December 1, 1989, with its plan for the funding of the Carroll Airport.

## AIRCRAFT PURCHASE LOAN GUARANTEE PROGRAM

| | |
|---|---|
| Appropriations, 1989 | ($50,000,000) |
| Budget estimate, 1990 | (57,000,000) |
| House allowance | (50,000,000) |
| Committee recommendation | (10,000,000) |

The Aircraft Purchase Loan Guarantee Program was established pursuant to Public Law 85-307, as amended, which gave the Secretary of Transportation the authority to provide Government guarantees of private loans to certain air carriers for the purchase of modern aircraft and equipment when financing was not otherwise available on reasonable terms. The authority to provide new guarantees expired on October 23, 1983.

The accompanying bill contains authority for the Secretary of Transportation to borrow funds from the Treasury to cover the costs of aircraft loan defaults by air carriers on existing loans.

At the end of fiscal year 1989 the cumulative balance of direct loans outstanding is estimated to be $40,193,000. This program is continuing only for the purpose of making payments to private lenders upon default of existing loans by air carriers. No new loan guarantees are expected.

## FEDERAL HIGHWAY ADMINISTRATION

### SUMMARY OF FISCAL YEAR 1990 PROGRAM

The principal missions of the Federal Highway Administration are: administration, in cooperation with the States, of the Federal-aid Highway Construction Program, including the interstate, primary, bridge, secondary, and urban programs; regulation and enforcement of Federal requirements relating to the safety of operation and equipment of commercial motor carriers engaged in interstate or foreign commerce; and governing the safety in movement over the Nation's highways of dangerous cargoes such as explosives, flammables, and other hazardous material.

Under the Committee recommendation, a total program level of $12,263,705,000 would be provided for the activities of the Federal Highway Administration for fiscal year 1990.

The following table summarizes the fiscal year 1989 program levels, the fiscal year 1990 budget estimates, the House allowance, and the Committee's recommendations:

[In thousands of dollars]

| Program | Fiscal year 1989 program level | Fiscal year 1990 budget estimate | House allowance | Committee recommendations |
|---|---|---|---|---|
| Limitation on general operating expenses | (217,350) | (228,246) | (222,600) | (236,896) |
| Highway safety research and development | 6,080 | (1) | 6,080 | ........................ |
| Highway-related safety grants [2] | 9,405 | 10,000 | 9,405 | 9,405 |
| (Liquidation of contract authority) | (10,000) | (10,000) | (9,405) | (10,000) |
| Railroad/highway crossings demonstration projects | 7,560 | ........................ | 15,000 | 7,700 |
| Federal-aid highways [2] | 12,000,000 | 11,310,000 | 12,463,500 | 12,050,000 |
| (Liquidation of contract authority) | (12,700,000) | (13,660,000) | (13,660,000) | (13,660,000) |
| Right-of-way revolving fund [3] | (46,000) | (47,850) | (42,500) | (47,850) |
| Motor carrier safety | 27,000 | 32,190 | 32,190 | 33,690 |
| Motor carrier safety grants [2] | 60,000 | 60,000 | 60,200 | 60,000 |
| (Liquidation of contract authority) | (50,000) | (52,000) | (52,000) | (52,000) |
| Baltimore-Washington Parkway | 12,825 | ........................ | 12,000 | ........................ |
| Other highway programs | 119,039 | ........................ | 114,940 | 102,910 |
| Total | 12,241,909 | 11,412,190 | 12,713,315 | 12,263,705 |

[1] The administration would fund this program under the limitation for Federal-aid highways.

[2] Obligation ceiling on contract authority.

[3] Limitation on direct loans.

### LIMITATION ON GENERAL OPERATING EXPENSES

| | |
|---|---|
| Appropriations, 1989 | ($217,350,000) |
| Budget estimate, 1990 | (228,246,000) |
| House allowance | (222,600,000) |
| Committee recommendation | (236,896,000) |

The limitation on general operating expenses controls spending for virtually all the salaries, expenses, and research and development programs of the Federal Highway Administration.

The Committee recommends that a limitation of $236,896,000 be provided for salaries and expenses of the Federal Highway Administration. This amount is $8,650,000 more than that requested in the budget and $14,296,000 more than that recommended by the House.

The following table reflects the Committee's recommendation, the House allowance, and that requested by the administration.

[In thousands of dollars]

| Program | Fiscal year 1990 budget estimate | House allowance | Committee recommendation |
|---|---|---|---|
| Direction, coordination, support | 134,140 | 134,140 | 134,140 |
| Working capital fund | 10,340 | 10,340 | 10,340 |
| Demonstration projects | 2,959 | 2,959 | 2,959 |
| Central support | 45,652 | 43,779 | 45,652 |
| National Highway Institute | 1,361 | 1,361 | 1,361 |
| Contract programs | 33,794 | 30,580 | 42,444 |
| R&D, highways and safety | (19,314) | | (22,964) |
| R&D, highways | | (11,920) | |
| Highway safety R&D | | (6,080) | |
| Trucking programs | (400) | (400) | (900) |
| Rural transportation | (3,700) | (3,700) | (3,700) |
| National scenic byways study | | | (1,000) |
| I-80/I-94 congestion study | | | (500) |
| Minority business | (7,900) | (7,900) | (7,900) |
| Highway use tax evasion | (2,000) | | |
| Central DFD lab | (45) | (45) | (45) |
| Western DFD lab | (435) | (435) | (435) |
| University transportation centers | | | (5,000) |
| Kansas feasibility study | | 100 | |
| Less: Project delays | | −559 | |
| Total limitation | 228,246 | 222,600 | 236,896 |

## R&D, HIGHWAYS, AND SAFETY

### LOW-COST BRIDGE TECHNOLOGY

The Committee is aware of the efforts of several States, including West Virginia and Pennsylvania, and several Federal agencies, including the Forest Service, U.S. Department of Agriculture, to advance the knowledge about, and the utilization of alternative, low-cost bridge construction technologies, especially hardwood timber bridges.

The Committee is aware that the Forest Service has funded a number of demonstration timber bridges, and directs the Federal Highway Administration [FHWA] to support those efforts, and the dissemination of the results, as widely as is practicable in 1990. The Committee has included $500,000 for this effort, and directs the FHWA to submit a report to the Committee within 180 days of the date of enactment of the fiscal year 1990 appropriations bill, outlining future market potential for hardwood bridges; identifying potential barriers to the increased use of timber in bridges; and proposing strategies to overcome those barriers.

The specific funding allocations are as follows:

| Timber bridge project | Bridge description | Amount |
|---|---|---|
| BRAD modification | Supplement the BRAD computer program to include timber. | $150,000 |

| Timber bridge project | Bridge description | Amount |
|---|---|---|
| Design standard development | Support university research to further develop stressed timber concepts and design specifications for presentation to AASHTO Timber Bridge Subcommittee. | 200,000 |
| Develop timber bridge rail design | Assist in developing bridge rail designs for other than low-volume roads. | 150,000 |
| Total | | 500,000 |

## CONGESTION MANAGEMENT PROGRAM

The Committee supports further collaborative efforts between the Federal Highway Administration, the New Jersey Department of Transportation, the New York Department of Transportation, the New York City Department of Transportation, New Jersey Transit, New Jersey Turnpike Authority, New Jersey Highway Administration, Palisades Interstate Park Commission, the Port Authority of New York and New Jersey, the Triborough Bridge and Tunnel Authority and other local authorities, and the private sector, aimed at managing the congestion problem in northeastern New Jersey and the New York metropolitan region. The allowance provided by the Committee includes funds for TRANSCOM, to be made available through the States of New York and New Jersey Transportation Departments, to be used as follows:

| *Project* | *Amount* |
|---|---|
| Computer bulletin board | $200,000 |
| Video imaging detection system | 750,000 |
| Highway advisory radio | 200,000 |
| In vehicle navigation and communication system | 2,000,000 |
| Total | 3,150,000 |

The Committee expects TRANSCOM to solicit cost-sharing on these, and other, projects, and encourages the affected jurisdictions to continue joint efforts to reduce congestion. This allowance is in addition to any IVHS research funding provided for in the Traffic Operations Research Program. The Committee directs FHWA to ensure that information on results and successful strategies are widely disseminated.

## NATIONAL SCENIC BYWAYS STUDY

The allowance includes $1,000,000 for a national study of scenic and historic roads. A National Scenic Byways Program has enormous potential to enhance travel and tourism along scenic routes, and to provide new economic development opportunities. The Secretary should submit a report to the Committee in 1 year, in an effort: (1) to update for the use of Congress a nationwide inventory of existing scenic byways; (2) to develop guidelines for the establishment of a National Scenic Byways Program, including recommended techniques for maintaining and enhancing the scenic, recreational, and historic qualities associated with each byway; (3) to conduct case studies of the economic impact of scenic byways on travel and tourism; and (4) to analyze potential safety consequences and environmental impacts associated with scenic byway designation.

### INTERSTATE 80/INTERSTATE 94 CONGESTION STUDY

The allowance includes $500,000 for a study of potential solutions to heavy traffic congestion problems in the I–80/I–94, Chicago, IL, and Gary, IN, bistate area.

The Secretary shall carry out a feasibility study to identify and examine means of relieving congestion on the Borman and Kingery Expressways (Interstate 80/94) in northwest Indiana and northeast Illinois.

The scope of the study shall include, but not be limited to an analysis of costs and identification of the benefits of: (1) constructing new roadways to relieve congestion; (2) improving, upgrading, and expanding existing roadways to relieve congestion; (3) implementing low-cost operational and traffic management improvements; and (4) relieving tolls and other means of encouraging greater use of the Chicago skyway and portions of the Indiana toll road to increase east-west highway capacity.

In carrying out the study, the Secretary shall work with both State highway departments and the appropriate regional planning agencies. Further, the study's work shall be coordinated with existing transportation planning efforts in the region.

### APPALACHIAN REGIONAL CORRIDOR CONSTRUCTION

The Committee allowance includes a restoration of 20 FTE's, and up to an additional 10 FTE's, to be used in support of the continued construction of the Appalachian regional corridors in West Virginia. These personnel are used in planning, engineering, design, and contract administration activities.

### BALTIMORE-WASHINGTON PARKWAY

The Committee directs the Federal Highway Administration to investigate the cause of the August 31, 1989, collapse of the bridge under construction where Maryland Route 198 crosses the Baltimore-Washington Parkway. The Committee directs FHWA to prepare a report of its findings and include an assessment of the safety of the other bridges and ramps being upgraded under the Baltimore-Washington Parkway improvement program, and to submit such a report to the Committee within 90 days of the date of enactment.

### DISTRICT OF COLUMBIA APPORTIONMENT

The Committee recommends that the $5,000,000 of fiscal year 1982 interstate highway trust fund apportionment for the District of Columbia that remains available from the $40,000,000 authorized to construct the Washington Union Station parking garage and related facilities be reprogrammed to the Northeast corridor improvement project. In Senate Report No. 97–253, accompanying the fiscal year 1982 Department of Transportation and Related Agencies appropriations bill, the Committee directed the Secretary to authorize the District to use its fiscal year 1982 federally aided highway funds to fund the parking garage. The District has used $35,000,000 of the $40,000,000 apportioned to it for the project. The remaining sums will be used by Amtrak to complete the facilities related to the parking garage project, including demolition of the old station and extension of the railroad tracks to the new station.

### TRUCKING R&D PROGRAMS

The Committee continues its interest in improving medium and heavy truck safety and in reducing urban and suburban traffic congestion. Therefore, the Committee recommends $500,000 above the budget for research and educational programs. These programs should focus on, but not necessarily be limited to, the following four areas: (1) to develop and document the benefits and costs of the commercial driver's license in States deemed successful in implementing the CDL Program; (2) to address fatigue and sleep issues (such as fatigue countermeasures and rest stop factors), in an effort to reduce truck accidents by increasing driver alertness; (3) to review and document key elements of various voluntary trucking company programs to rehabilitate, if appropriate, drivers who have experienced controlled substance abuse problems; and (4) to review and recommend ways in which motor carrier and shipper practices and operations can be adjusted to reduce peak period congestion, including the identification of advanced driver information system needs for motor carriers.

These funds are to be available only to a not-for-profit entity, which is to provide cost-sharing of an additional $100,000 of services, equipment, labor, overhead, or general and administrative expenses to supplement the $500,000 recommended above.

### BRIDGE INSPECTION TRAINING PROGRAM

The Committee commends the Federal Highway Administration for proceeding with an expanded Federal effort to establish bridge inspection standards and to properly train inspectors. The Committee recognizes that the Nation's universities have considerable expertise in this area. The Committee, therefore, directs the Federal Highway Administration to incorporate such programs and expertise in its expanded bridge inspection program.

### FREEWAY MANAGEMENT SYSTEM

The Committee directs the Federal Highway Administration to initiate the development of program guidelines and criteria for implementation of the smart car/smart street freeway management system.

### HIGHWAY ON-THE-JOB-TRAINING PROGRAM

The Committee has included bill language to allow States to reinstate, at their discretion, the Highway On-the-Job-Training Program. This language provides that one-fourth of 1 percent of a State's interstate, primary, secondary, urban, bridge, hazard elimination, and rail-highway crossings apportionments shall be available to carry out skill training program.

### VALUATION OF CALIFORNIA RIGHT OF WAY

The Committee has amended House bill language concerning the manner in which the Secretary is to determine the fair market value of rights of way.

### BLYTHEVILLE FRONTAGE ROADS

The Committee urges the FHWA to study the feasibility of constructing frontage roads in Blytheville, AR, and to explore possible sources of Federal assistance. The Committee would also encourage FHWA to share this information with the Delta Development Commission located in Memphis, TN.

### WEST MEMPHIS FLOOD CONTROL

The Committee urges the FHWA to review the additional burden of drainage water runoff caused by interstate highway construction around West Memphis, AR, and to try to develop a solution to the flood control problems caused by this additional water.

### HIGHWAY USE TAX EVASION

The Committee has not agreed to the budget request for $2,000,000 to support additional efforts by the States and FHWA for highway tax compliance activities. However, the Committee strongly supports such activities and directs the FHWA to provide such assistance as is required.

### UNIVERSITY TRANSPORTATION CENTERS

The Committee has included bill language clarifying that the highway share of the funding provided in Public Law 100-17 is contract authority, which will make it possible for the Department to release the funds to carry out the provisions of the Surface Transportation Assistance Act of 1987.

## Highway Safety Research and Development

## (Highway Trust Fund)

| | |
|---|---|
| Appropriations, 1989 | $6,080,000 |
| Budget estimate, 1990 | |
| House allowance | 6,080,000 |
| Committee recommendation | |

This activity seeks to identify, correct, and evaluate those critical elements that contribute to loss of life, disabling injuries, and property damage on American highways. The emphasis of research is to provide workable and timely solutions to a set of critical safety problems. Major projects involve improved traffic barriers, construction zone safety, traffic and pedestrian safety, and rural highway safety improvements.

Under the budget request, this program would be funded by drawdown from the "Federal-aid highways" account and controlled within the limitation on general operating expenses. Under the limitation, the budget requested a total of $19,314,000 for research and development in both highways and highway safety. Of this amount, $6,080,000 was specifically for safety research and development.

The Committee recommends $6,080,000 for highway safety research and development to be funded by drawdown from Federal-aid highways under the "Limitation on general operating expenses" account.

## HIGHWAY-RELATED SAFETY GRANTS

### (LIQUIDATION OF CONTRACT AUTHORIZATION)

### (HIGHWAY TRUST FUND)

| | |
|---|---|
| Appropriations, 1989 | ($10,000,000) |
| Budget estimate, 1990 | (10,000,000) |
| House allowance | (9,405,000) |
| Committee recommendation | (10,000,000) |

Section 402 of title 23, United States Code, authorizes programs to assist States and localities in implementing highway safety programs in accordance with uniform standards established by the Secretary. Most of the activities carried out under the FHWA standards involve development and implementation of systems, procedures, manuals, et cetera, to assist highway agencies in the orderly planning and implementation of safety construction and operational improvements.

The Committee recommends $10,000,000 for liquidation of contract authority for highway-related safety grants. This is the same as the budget request and $595,000 above the House allowance.

### LIMITATION ON OBLIGATIONS

The budget proposes a ceiling of $10,000,000 for this program.

The Committee has set the obligation ceiling at $9,405,000, which is the same level provided in 1989 and $595,000 below the budget estimate for fiscal year 1990.

## RAILROAD-HIGHWAY CROSSINGS DEMONSTRATION PROJECTS

| | |
|---|---|
| Appropriations, 1989 | $7,560,000 |
| Budget estimate, 1990 | |
| House allowance | 15,000,000 |
| Committee recommendation | 7,700,000 |

The railroad highway crossings demonstration projects are authorized by the Federal-Aid Highway Act of 1973, as amended, and title III of the National Mass Transportation Assistance Act of 1974.

Projects are funded under this authority for cities specified in law. The Federal share is derived two-thirds from the Highway Trust Fund and one-third from general funds. A total of 19 specific sites have been named in a variety of acts as eligible for the program and one has been withdrawn. The sites were chosen when a rail-highway crossing created a safety hazard, or impeded pedestrian or highway flow.

Included in the allowance is $3,200,000 for the Texas Street grade separation project in Pine Bluff, AR, and $4,500,000 for the L Street viaduct from First Street to Ninth Street in Lincoln, NB.

### FEDERAL-AID HIGHWAYS

### (LIQUIDATION OF CONTRACT AUTHORIZATION)

### (HIGHWAY TRUST FUND)

| | |
|---|---|
| Appropriations, 1989 | ($12,700,000,000) |
| Budget estimate, 1990 | (13,660,000,000) |
| House allowance | (13,660,000,000) |
| Committee recommendation | (13,660,000,000) |

This activity comprises the majority of all federally aided programs through which the States are financially and technically aided to continue a national highway system that meets the transportation needs of the Nation in terms of capacity and safety.

All programs included within the Federal-aid account are financed from the highway trust fund. Authorizations in the form of contract authority are enacted in substantive legislation. Except for interstate construction, these authorizations are apportioned and/or allocated to the States and generally remain available for obligation over a 4-year period. Liquidating cash appropriations are subsequently requested to fund outlays resulting from obligations incurred under contract authority.

The Committee recommends a liquidating cash appropriation of $13,660,000,000 for the Federal-aid Highway Program. This is the same as the budget estimate and the same amount provided by the House allowance.

#### OBLIGATION CEILING

The bill also includes language limiting obligations to $12,050,000,000. This is $413,500,000 below the amount provided by the House, and $740,000,000 above the amount recommended by the President. The administration's proposal includes previously appropriated or authorized accounts other than emergency relief and minimum allocation as part of its obligation ceiling request of $11,310,000,000.

Language in Conference Report 100-957 accompanying Public Law 100-457 directed $1,000,000 of the funds already available to the State of Utah by section 149 of Public Law 100-17 be made available for preliminary engineering, environmental studies and right-of-way acquisition to widen 8400 West Street in Magna, UT. The State has completed these studies and, because of effective management and cost efficiencies achieved, has not expended all available funds. The Committee believes it is appropriate for the State of Utah to utilize the remaining funds from this study to begin construction of the project or for other transportation purposes and needs in the State.

The program managers of the Department of Transportation are directed to assist the Forest Service and the Tennessee Department of Transportation in planning and construction of Tennessee State

Highway 64 in southeastern Tennessee, one of the State's vital transportation routes.

### INTERSTATE TRANSFER GRANTS—HIGHWAYS

This program, part of the Federal-aid highways activity, provides funding of highways substituted for Interstate System segments withdrawn from the system under 23 U.S.C. 103(e)(4). After the joint request by a State Governor and the local governments concerned, the Secretary may withdraw (from the Interstate System) interstate highway segments which pass through or connect urbanized areas within the State determined not to be essential to a unified Interstate System. The value of a withdrawn segment, adjusted for inflation, establishes an authorization against which Congress may provide funds.

Under existing law, 75 percent of the contract authority provided for highway projects substituted for withdrawn interstate highway segments is distributed by statutory formula. The remaining 25 percent is distributed on a discretionary basis.

The formula approach results in some areas receiving apportionments that partially fund segments or fall short of expeditious funding for particular projects. In earmarking funds in previous reports accompanying the appropriations bill, the Committee was impressed with the necessity to insure that certain withdrawal areas were provided sufficient funding for timely completion of planned projects that often involved multijurisdictional compacts—a particular project facet not measurable by formula.

For fiscal year 1990, $740,000,000 is to be available for interstate transfer-highway projects. Of this amount, $185,000,000, is available for discretionary allocation after funds are set aside for the discretionary programs' contribution for demonstration projects identified in section 149 of Public Law 100-17, the Surface Transportation and Uniform Relocation Assistance Act of 1987.

The Committee directs the following discretionary allocations:

INTERSTATE TRANSFER HIGHWAYS

| State | Formula | Discretionary | Total |
|---|---|---|---|
| California | $8,838,375 | | $8,838,375 |
| Colorado | 10,878 | | 10,878 |
| Connecticut | 81,546,927 | | 81,546,927 |
| District of Columbia | 14,402,472 | | 14,402,472 |
| Georgia | 9,980,565 | | 9,980,565 |
| Illinois | 40,003,845 | $90,000,000 | 130,003,845 |
| Indiana | 4,139,079 | | 4,139,079 |
| Iowa | 18,465,405 | 39,000,000 | 57,465,405 |
| Maryland | 34,613,796 | 35,000,000 | 69,613,796 |
| Massachusetts | 7,435,113 | | 7,435,113 |
| Minnesota | 54,390 | | 54,390 |
| New Jersey | 32,769,975 | | 32,769,975 |
| New York | 187,476,891 | | 187,476,891 |
| Ohio | 8,533,791 | | 8,533,791 |
| Oregon | 7,326,333 | 700,000 | 8,026,333 |
| Pennsylvania | 1,968,918 | 5,300,000 | 7,268,918 |
| Rhode Island | 63,016,254 | | 63,016,254 |
| Tennessee | 23,316,993 | | 23,316,993 |

INTERSTATE TRANSFER HIGHWAYS—Continued

| State | Formula | Discretionary | Total |
|---|---|---|---|
| Other | 11,100,000 | 15,000,000 | 26,100,000 |
| Total | 555,000,000 | 185,000,000 | 740,000,000 |

The Committee is aware of the traffic congestion in the Exton, PA, area and recommends that discretionary funding be expended to alleviate this problem.

### BRIDGE DISCRETIONARY FUNDS

The Committee directs the Secretary of Transportation to give priority designation, consistent with existing criteria, to several bridges that have extremely low rating factors and which serve as major links for both intrastate and interstate commerce and which directly impact the economic development of an area.

Military Street Bridge, Port Huron, MI
Clark Bridge, Alton, IL
Virginia Street Bridge, Charleston, WV
East Chester Creek Bridge, NY
Ebey Slough Bridge, Everett, WA
Arkansas-Mississippi Great River Bridge, AR
Sanibel Bridge and Causeway, FL
Belle Vernon Bridge, PA
Haynes Avenue Bridge, Newark, NJ
Cooper River Bridge, Charleston, SC

### INTERSTATE 4-R DISCRETIONARY PROGRAM

The Surface Transportation and Uniform Relocation Assistance Act of 1987, Public Law 100-17, authorized the Interstate 4-R Program (resurfacing, restoring, rehabilitation, or reconstruction) and set aside $200,000,000 for discretionary 4-R projects.

Given the statutory criteria, the Committee directs the Secretary to give priority consideration to the Interstate 70/Interstate 25 interchange reconstruction project in Colorado, at a recommended level of $37,000,000.

The allowance includes $58,500,000 for I-80 in Morris County, NJ, and $700,000 for studies, engineering, and design for the I-280 downtown connector in Newark, NJ.

## RIGHT-OF-WAY REVOLVING FUND

### (LIMITATION ON DIRECT LOANS)

### (HIGHWAY TRUST FUND)

| | |
|---|---|
| Appropriations, 1989 | ($46,000,000) |
| Budget estimate, 1990 | (47,850,000) |
| House allowance | (42,500,000) |
| Committee recommendation | (47,850,000) |

The Federal-Aid Highway Act of 1968 authorized $300,000,000 for the establishment of the Right-of-Way Revolving Fund. This fund is utilized to make cash advances to the States for the purpose of purchasing right-of-way parcels in advance of highway construction and thereby preventing the inflation of land prices from causing a significant increase in construction costs. When right-of-way aquisition has been made and highway construction is initiated, the State becomes eligible for Federal grants under the various Federal-aid highway authorizations. At the point when progress payments are made to the State for construction, the State in turn reimburses the revolving fund for advances made to that State for right-of-way acquisition. Utilizing this method of funding, all reimbursements made to the revolving fund may be reallocated to other States requiring advances.

The Committee is acutely aware of the budget deficit situation and of the need to maintain limitations on certain programs to ascertain some means of fiscal control. However, the Committee also recognizes the considerable economic benefits to be gained from the use of this fund to acquire rights-of-way in advance of actual highway construction. It is also noted that during the fiscal years 1987 and 1988, total obligations to the Federal Government have been decreased by almost $62,000,000, that is, the FHWA has recovered more obligations than have been incurred.

It is the intent of the Committee that new obligations may be incurred in an amount of $47,850,000 plus any amount of prior year obligations which are deobligated during fiscal year 1990. This is the same level of new obligations as was requested in the budget and $5,350,000 above that provided by the House.

The Committee directs the Federal Highway Administration to make a $15,000,000 repayable right-of-way revolving fund loan to Michigan for use in conjunction with the M–59 corridor project, and $15,000,000 to the State of Virginia for right-of-way acquisition for Route 7100–029. Loan repayment shall be adhered to as prescribed by the Federal Highway Administration right-of-way revolving fund program guidelines.

## MOTOR CARRIER SAFETY

| | |
|---|---|
| Appropriations, 1989 | $27,000,000 |
| Budget estimate, 1990 | 32,190,000 |
| House allowance | 32,190,000 |
| Committee recommendation | 33,690,000 |

The motor carrier safety mission is to protect the public from risks inherent in commercial truck and bus transportation operations. The program includes both safety and compliance reviews of motor carrier operations and reviews of specified hazardous material shippers and commercial drivers. Most of the increase in the request is to fund an additional 150 safety inspectors along with support staff of 35 for a total of 185 new full-time permanent positions.

The bill includes a total of $33,690,000 for motor carrier safety.

The allowance includes an increase of $3,885,000 over fiscal year 1989 enacted levels to provide for an additional 150 inspectors and related support personnel. The Committee understands that New Jersey will receive an additional 6 inspectors, for a total staffing level of 12, and that West Virginia will receive an additional 2 inspectors, for a total staffing level of 6, from funds recommended by the Committee.

The Committee urges FHWA to demonstrate increases in its motor carrier safety enforcement activities. The number of civil penalty enforcement cases is not substantially increased from 1985 and the number of hazardous materials transportation cases is not increasing. The Committee expects to see substantial progress before 1991 (such as increases in the number of enforcement cases during 1989 and 1990, and substantial increases in the amount of civil penalties collected during 1989 and 1990 over that collected during 1988).

### OPERATION DEACON

The Committee has received detailed information regarding the benefits and accomplishments of Operation Deacon, FHWA's drug interdiction awareness demonstration project. One of the purposes of this successful effort is to assess the effectiveness of different law enforcement strategies to address both the use of controlled substances and alcohol by commercial motor vehicle operators, and the illegal distribution of controlled substances by commercial motor vehicles. Officers working under Operation Deacon have intercepted major haulers and shipments of illegal drugs, have placed numerous drivers out-of-service for operating under the influence of alcohol and illegal substances, and have conducted successful undercover activities that have led to numerous arrests.

Operation Deacon has raised the awareness of MCSAP officers to drivers operating under the influence of drugs. These drug interdiction activities have proven to be a useful part of a comprehensive commercial motor carrier safety and enforcement program. The Committee concludes that the $1,250,000 that FHWA used out of the fiscal year 1988 MCSAP account for Operation Deacon was well spent. No other Federal drug enforcement activity is specifically directed at the commercial motor carrier and driver.

The Committee is concerned that FHWA's direct grant support under MCSAP for Operation Deacon is scheduled to terminate at the end of fiscal year 1989. Although Operation Deacon was to be a demonstration project, the Committee believes that FHWA's active involvement in similar drug interdiction work should continue as part of MCSAP. In order to ensure that the activities incorporating the successful components of Operation Deacon continue, and that training similar to that conducted in association with Operation Deacon is expanded, the Committee allowance includes $1,000,000, above the budget request, to be available in addition to those funds already appropriated for the MCSAP account.

To the maximum extent possible, the Committee directs that these funds should be administered through the MCSAP grant process. This will allow the forward momentum gained by Operation Deacon or similar activities to continue and will assure that the awareness of the typical MCSAP officer to alcohol and other drug problems continues to increase.

The Committee encourages the authorization committee to review this program as part of the reauthorization of MCSAP after fiscal year 1991.

## DRUG-FREE TRANSPORTATION DEMONSTRATION PROGRAM

The Committee is aware that the Nation's interstate transportation system is now being utilized heavily by drug traffickers for the distribution of controlled substances. A recent report by the U.S. attorney in New Jersey detailed various methods by which illegal drugs are being transported across State lines. According to the report, the State of New Jersey has become a major transportation hub for the drug trade, as drug traffickers take advantage of the State's extensive highway system, its many airports and ports, and its location near the highly populated New Jersey/New York metropolitan area.

The Committee allowance includes $500,000 to be provided to the Department of Law and Public Safety and the State police in New Jersey for a demonstration program to seek ways of reducing the use of the Nation's interstate transportation network for drug trafficking. The program would seek to reduce such trafficking in the State of New Jersey both through enhanced interdiction efforts and through a public awareness campaign focused on the transportation industry. Interdiction efforts would include training of law enforcement officials to identify drug couriers and seize drugs in transport, enhanced monitoring of shipping containers, airport traffic and trucks, and undercover operations at airports, shipping terminals, train stations, and bus terminals.

The program's public awareness component would include training those working in the transportation industry so as to heighten their awareness about the scope and nature of the drug trafficking problem and to familiarize them with the indicators of illicit narcotics trafficking activities. Targeted groups would include truck and bus drivers, train conductors, employees of airports, train stations, and bus terminals, baggage handlers, longshoremen and offloaders. In addition, the program would include the establishment of a confidential tip line system to encourage citizens to report information that leads to the arrest and conviction of drug smugglers.

## HAZARDOUS MATERIALS

The Committee has received information from the Cooperative Hazardous Materials Enforcement Development [COMED] program, an association of primarily State enforcement officers working with RSPA, that additional training is needed to strengthen the capabilities of State MCSAP and other enforcement officers to conduct hazardous materials inspections at the roadside and in carrier and shipper facilities. Consequently, the Committee directs FHWA, together with RSPA, to increase substantially the technical assistance, training programs, and information sharing offered to these State enforcement officers. The Committee expects DOT to direct its FHWA hazardous materials program managers, instructors from the Transportation Safety Institute, other FHWA and RSPA headquarters personnel to participate actively in rasing both the quality and quantity of State hazardous materials enforcement efforts. The Committee notes that there is a substantial leveraged benefit in Federal safety officers improving the capabilities of State enforcement officers.

### NOTIFICATION OF INSPECTION RESULTS

Safetynet eventually will furnish both FHWA and MCSAP inspectors essential information about specific carrier and driver performance. This needed computer system, however, is not yet operating in an effective or comprehensive manner. Until this system is on-line on a national basis, the Committee believes that both FHWA and State auditing programs and FHWA's driver disqualification program are adversely affected by the unavailability of needed information. Consequently, the Committee directs that FHWA: (1) More vigorously encourage States participating in MCSAP to send copies of all MCSAP inspection reports to the appropriate FHWA offices; and (2) direct regional FHWA offices to distribute the reports to the appropriate FHWA division offices for placement in individual carrier files.

The Committee expects that these requirements be fully implemented during the first 90 days of fiscal year 1990. This requirement is especially important for those States that are not effectively using Safetynet's inspection module and integrating generated information with FHWA's computer system.

The Committee directs that these activities should continue until Safetynet provides the needed information that these manual approaches can provide. The Committee believes that FHWA and State investigators need this information in order to conduct effective safety and compliance reviews and safety management activities as well as more effective driver disqualification program.

The Committee expects to explore fully FHWA's implementation of these requirements during future hearings.

## MOTOR CARRIER SAFETY GRANTS

### (LIQUIDATION OF CONTRACT AUTHORIZATION)

### (HIGHWAY TRUST FUND)

| | |
|---|---|
| Appropriations, 1989 | ($50,000,000) |
| Budget estimate, 1990 | (52,000,000) |
| House allowance | (52,000,000) |
| Committee recommendation | (52,000,000) |

This program was first authorized by the Surface Transportation Assistance Act of 1982. It would provide grants to States for improved enforcement of Federal and State motor carrier safety rules. It has been shown that added enforcement of truck safety rules reduces truck-related accidents and fatalities. The major objective of this program is to reduce the number and severity of hazardous materials accidents involving commercial motor vehicles.

The Committee recommends a liquidating cash appropriation of $52,000,000 level which is the same as the administration request and the House allowance.

### VEHICLE REPAIR VERIFICATION

The Committee is concerned that a large number of truck drivers are not repairing critical safety defects noted during MCSAP inspections before returning to our Nation's highways. Therefore, the

Committee is considering including a provision in the 1991 bill which would prevent MCSAP funds from being allocated to a State unless that State is conducting an effective, year-round verification program to ensure, perhaps through sampling, that vehicles taken out of service are being repaired on a timely basis.

### TRUCK SAFETY AND PUBLIC AWARENESS

The FHWA, in cooperation with the States, industry, and safety organizations, and with other Federal agencies such as NHTSA, should increase its efforts to provide useful information to the driving public concerning how to safety share the highway with commercial motor carriers. Information on blind spots, reduced ability to maneuver and stop, and operating requirements for commercial motor carriers, need to be improved and delivered to the driving public. The Committee expects FHWA to present a summary of its various efforts in conjunction with the 1991 budget submission.

### LIMITATION ON OBLIGATIONS

The Committee is also recommending an obligation ceiling of $60,000,000 for motor carrier safety grants. This is the same amount requested by the administration and $200,000 below the amount provided in the House allowance. The Commercial Motor Vehicle Safety Act of 1986 authorized $60,000,000 in fiscal year 1990 for the Motor Carrier Safety Grants Program with $13,000,000 earmarked for the Commerical Driver's License Program, and up to $300,000 for administration of the grant program.

## Access Highways to Public Recreation Areas on Certain Lakes

| | |
|---|---|
| Appropriations, 1989 | $1,291,000 |
| Budget estimate, 1990 | |
| House allowance | |
| Committee recommendation | |

Section 155 of title 23 authorizes the Secretary of Transportation to construct or reconstruct access highways to public recreation areas on certain lakes. Such lakes are those bodies of water resulting from construction by various Federal agencies.

## Baltimore-Washington Parkway

## (Highway Trust Fund)

| | |
|---|---|
| Appropriations, 1989 | $12,825,000 |
| Budget estimate, 1990 | |
| House allowance | 12,000,000 |
| Committee recommendation | |

The House provides $12,000,000 for further work on the Baltimore-Washington Parkway.

The Committee recommendation does not include funding for the Baltimore-Washington Parkway in 1990. There was no budget request for this project.

## Intermodal Urban Demonstration Project

### (Highway Trust Fund)

| | |
|---|---|
| Appropriations, 1989 | $8,550,000 |
| Budget estimate, 1990 | |
| House allowance | 10,000,000 |
| Committee recommendation | |

Section 124 of the Federal-Aid Highway Amendments of 1974 authorizes a demonstration project for the construction of a high density urban intermodal transportation connection between Franklin Avenue and 59th Street in Minneapolis, MN. This provides a highway link between the central business district and the Minneapolis-St. Paul International Airport.

The House has provided an additional $10,000,000 for this project.

Due to budget constraints the Committee recommends no funds for this project. There was no budget request for this activity.

## Highway Safety and Economic Development Demonstration Projects

### (Highway Trust Fund)

| | |
|---|---|
| Appropriations, 1989 | $8,550,000 |
| Budget estimate, 1990 | |
| House allowance | 12,000,000 |
| Committee recommendation | |

Public Law 99-500 and Public Law 99-591 authorized four demonstration projects in Mississippi. The House has recommended $12,000,000 in fiscal year 1990 funds. There was no budget request for these projects.

Due to budgetary constraints the Committee does not recommend any funding for fiscal year 1990.

## Highway Safety Improvement Demonstration Project

### (Highway Trust Fund)

| | |
|---|---|
| Appropriations, 1989 | $1,260,000 |
| Budget estimate, 1990 | |
| House allowance | 11,000,000 |
| Committee recommendation | |

The Committee does not include funding for this demonstration project, which is for a variety of improvement projects in the vicinity of Pontiac and East Lansing, MI. There was no budget request for this activity.

Public Law 99-500 and Public Law 99-591 authorized total appropriations of $32,000,000 for these highway improvements. A total of $7,960,000 was provided through fiscal year 1989 and the House has included an additional $11,000,000 for fiscal year 1990. There was no budget request for this project and the Committee has not provided any funding.

## HIGHWAY-RAILROAD GRADE CROSSING SAFETY DEMONSTRATION PROJECT

### (HIGHWAY TRUST FUND)

| | |
|---|---|
| Appropriations, 1989 | $8,100,000 |
| Budget estimate, 1990 | |
| House allowance | 9,500,000 |
| Committee recommendation | |

The House has included an additional $9,500,000 for a series of highway-railroad grade crossings in Mineola, NY. There was no budget request in support of the House allowance.

Public Law 99-500 and Public Law 99-591 authorized a total of $50,000,000 for this project and $21,600,000 has been provided through fiscal year 1989.

The Committee has not included any funds for this project.

## HIGHWAY WIDENING DEMONSTRATION PROJECT

| | |
|---|---|
| Appropriations, 1989 | $1,800,000 |
| Budget estimate, 1990 | |
| House allowance | 2,000,000 |
| Committee recommendation | |

The House has provided $2,000,000 for a highway widening demonstration project in King of Prussia, PA. There was no budget request for this project, and the Committee has not provided any funding.

## BRIDGE IMPROVEMENT DEMONSTRATION PROJECT

| | |
|---|---|
| Appropriations, 1989 | $8,550,000 |
| Budget estimate, 1990 | |
| House allowance | 4,000,000 |
| Committee recommendation | |

This account provides Federal funds for 80 percent of the expenses associated with the construction of a bridge.

There was no budget request for additional funding and the Committee has not provided any. This project is the Blount Island Bridge project in Jacksonville, FL.

## HIGHWAY WIDENING AND IMPROVEMENT DEMONSTRATION PROJECT

| | |
|---|---|
| Appropriations, 1989 | $4,100,000 |
| Budget estimate, 1990 | |
| House allowance | 5,000,000 |
| Committee recommendation | |

This account covers 80 percent of the expenses associated with a highway widening and improvement project between Paintsville and Prestonburg, KY. The House has provided an additional $5,000,000 for this project. There was no budget request for these funds and the Committee has not provided any funding.

## HIGHWAY CAPACITY IMPROVEMENT DEMONSTRATION PROJECT

| | |
|---|---|
| Appropriations, 1989 | $900,000 |
| Budget estimate, 1990 | |
| House allowance | 100,000 |
| Committee recommendation | |

The House has provided $100,000 for preliminary engineering, environmental studies, and right-of-way acquisition for U.S. Route 231 between U.S. Route 90 and the city of Campbellton in Jackson County, FL. The project essentially expands an existing two-lane highway to a four-lane highway. The budget did not request any funding for this project and the Committee has not provided any funding.

## CLIMBING LANE SAFETY DEMONSTRATION PROJECT

| | |
|---|---|
| Appropriations, 1989 | $450,000 |
| Budget estimate, 1990 | |
| House allowance | 2,500,000 |
| Committee recommendation | |

The House has included $2,500,000 for preliminary engineering, environmental studies, and right-of-way acquisition for U.S. Route 15 in the vicinity of Tioga County, PA, for the purpose of highway safety construction. There was no budget request for this item and the Committee has not provided any funds.

## INDIANA INDUSTRIAL CORRIDOR SAFETY DEMONSTRATION PROJECT

| | |
|---|---|
| Appropriations, 1989 | $1,000,000 |
| Budget estimate, 1990 | |
| House allowance | 2,400,000 |
| Committee recommendation | |

The House has provided $2,400,000 for widening and improving rural highways between Wabash and Huntington, IN. There was no budget request for this activity and the Committee has not provided any funding.

## OKLAHOMA HIGHWAY WIDENING DEMONSTRATION PROJECT

| | |
|---|---|
| Appropriations, 1989 | $400,000 |
| Budget estimate, 1990 | |
| House allowance | 2,500,000 |
| Committee recommendation | |

The House has included $2,500,000 for a widening demonstration project affecting Oklahoma State Route 53 from Interstate Highway 35 east to the Ardmore Regional Industrial Airpark. The House bill language makes these funds available upon enactment of legislation authorizing the project. There was no budget request for this activity and the Committee has not included any funding.

### ALABAMA HIGHWAY BYPASS DEMONSTRATION PROJECT

| | |
|---|---|
| Appropriations, 1989 | $3,600,000 |
| Budget estimate, 1990 | |
| House allowance | 8,300,000 |
| Committee recommendation | |

The House has included $8,300,000 for preliminary engineering, environmental studies, and right-of-way acquisition for a highway bypass project in the vicinity of Jasper, AL. There was no request by the administration for this funding and the Committee has not provided any funds.

### KENTUCKY BRIDGE DEMONSTRATION PROJECT

| | |
|---|---|
| Appropriations, 1989 | $3,600,000 |
| Budget estimate, 1990 | |
| House allowance | 5,000,000 |
| Committee recommendation | |

The House has included $5,000,000 for replacing the Glover Cary bridge in Owensboro, KY. The Committee has not provided any funding for this project and there was no administration request for this project.

### VIRGINIA HOV SAFETY DEMONSTRATION PROJECT

| | |
|---|---|
| Appropriations, 1989 | $500,000 |
| Budget estimate, 1990 | |
| House allowance | 4,650,000 |
| Committee recommendation | |

The House has included $4,650,000 for preliminary engineering, environmental studies, and right-of-way acquisition to construct high occupancy vehicle [HOV] lanes on Interstate Route 66 between Interstate Route 495 and U.S. Route 50 in Virginia. There was no administration request for these funds and the Committee has not provided any funds.

### URBAN HIGHWAY CORRIDOR DEMONSTRATION PROJECT

| | |
|---|---|
| Appropriations, 1989 | $225,000 |
| Budget estimate, 1990 | |
| House allowance | 4,500,000 |
| Committee recommendation | |

The House has included $4,500,000 to carry out preliminary engineering, environmental studies, and right-of-way acquisition to improve and upgrade the M–59 urban highway corridor in southeast Michigan including $3,000,000 for a bicycle transportation demonstration project in Macomb County, MI. The Committee has not provided any funds for this project, and there was no administration request.

### URBAN AIRPORT ACCESS SAFETY DEMONSTRATION PROJECT

| | |
|---|---|
| Appropriations, 1989 | $225,000 |
| Budget estimate, 1990 | |
| House allowance | 5,000,000 |
| Committee recommendation | |

The House has provided $5,000,000 to carry out preliminary engineering, environmental studies, and right-of-way acquisition to improve and upgrade access to Detroit Metropolitan Airport. There was no budget request for this project and the Committee has not provided any funds.

### EBENSBURG BYPASS DEMONSTRATION PROJECT

| | |
|---|---|
| Appropriations, 1989 | |
| Budget estimate, 1990 | |
| House allowance | $13,740,000 |
| Committee recommendation | |

The House has included $13,740,000 for the Ebensburg, PA, bypass. There was no 1990 budget estimate for this project and the Committee allowance does not include any funds for this project.

### BRIDGE REHABILITATION DEMONSTRATION PROJECT

| | |
|---|---|
| Appropriations, 1989 | |
| Budget estimate, 1990 | |
| House allowance | $350,000 |
| Committee recommendation | |

The House has included $350,000 for essential repairs to the Chester Bridge, which crosses the Mississippi River between Missouri and Illinois. The budget requested no funds for this project and the Committee allowance provides no funds.

### HIGHWAY DEMONSTRATION PROJECTS—PRELIMINARY ENGINEERING

| | |
|---|---|
| Appropriations, 1989 | |
| Budget estimate, 1990 | |
| House allowance | $12,400,000 |
| Committee recommendation | |

The House has included $12,400,000 for preliminary engineering, environmental studies, and right-of-way acquisition for highway demonstration projects. There was no budget estimate for this project and no funds are recommended by the Committee.

### CORRIDOR SAFETY IMPROVEMENT PROJECT

### (HIGHWAY TRUST FUND)

| | |
|---|---|
| Appropriations, 1989 | $28,000,000 |
| Budget estimate, 1990 | |
| House allowance | |
| Committee recommendation | 17,300,000 |

Public Law 100-202 authorized $50,000,000 for highway improvement projects on the Route 1 corridor in New Jersey. In fiscal year 1989, $28,000,000 was provided to replace and widen the Route 1 and Northeast corridor rail line bridge. The Committee has included $17,300,000 for further work in 1990. These are significant projects to demonstrate methods of improving traffic operations and highway safety on a high volume corridor on the Federal-aid primary system.

## BRIDGE CAPACITY IMPROVEMENTS

## (HIGHWAY TRUST FUND)

| | |
|---|---|
| Appropriations, 1989 | $3,763,000 |
| Budget estimate, 1990 | |
| House allowance | |
| Committee recommendation | 4,000,000 |

Public Law 100-202 authorized $8,000,000 for a second crossing of the Nashua River in Nashua, NH. A second crossing is necessary to improve air quality and reduce dangerous levels of carbon monoxide in the area.

The Committee has provided $4,000,000 in construction funding.

## CORRIDOR H IMPROVEMENT PROJECT

| | |
|---|---|
| Appropriations, 1989 | $16,000,000 |
| Budget estimate, 1990 | |
| House allowance | |
| Committee recommendation | 32,000,000 |

The Committee has included funding for the corridor H road project to relieve traffic congestion, improve highway safety, and promote economic benefits in Randolph, Buckhannon, and Upshur Counties, WV. The Committee provides $32,000,000 in fiscal year 1990 for the portion from the vicinity of Elkins, west to Norton, WV.

## ROAD EXTENSION DEMONSTRATION

| | |
|---|---|
| Appropriations, 1989 | $600,000 |
| Budget estimate, 1990 | |
| House allowance | |
| Committee recommendation | 11,000,000 |

The Committee has included $11,000,000 for the acquisition of right-of-way and construction of bypasses of Pella, IA, and Oskaloosa, IA, on the realigned Highway 163 and Highway 63. This project will relieve traffic congestion and promote conomic benefits in the area and along the entire highway corridor.

## DES MOINES INNER LOOP DEMONSTRATION PROJECT

| | |
|---|---|
| Appropriations, 1989 | |
| Budget estimate, 1990 | |
| House allowance | |
| Committee recommendation | $2,800,000 |

The Committee has included bill language providing $2,800,000 for the design, engineering, acquisition of right-of-way and construction of roads from I-235 and Harding Road to Fleur Drive at the Des Moines Water Works in Des Moines, IA, for the purpose of demonstrating the benefits of improved access for the revitalization of an underutilized portion of a central city. The Committee understands that considerable local funds will be made available for this project.

### CORRIDOR G IMPROVEMENT PROJECT

| | |
|---|---|
| Appropriations, 1989 | |
| Budget estimate, 1990 | |
| House allowance | |
| Committee recommendation | $10,000,000 |

The Committee has included funding for the corridor G project to relieve traffic congestion, to improve highway safety, and to promote economic benefits in Mingo County, WV. The Committee allowance provides $10,000,000 in fiscal year 1990 for the Williamson rock wall project in the vicinity of Williamson, WV.

### CORNING BYPASS SAFETY DEMONSTRATION PROJECT

| | |
|---|---|
| Appropriations, 1989 | |
| Budget estimate, 1990 | |
| House allowance | |
| Committee recommendation | $20,000,000 |

The Committee recommends an appropriation of $20,000,000 to complete a gap in Route 17, known as the Corning Bypass. The bypass is a crucial missing link in the only major highway serving the western New York region. The Committee understands that State support will substantially exceed normal matching amounts.

### SPRING MOUNTAIN DEMONSTRATION PROJECT

| | |
|---|---|
| Appropriations, 1989 | |
| Budget estimate, 1990 | |
| House allowance | |
| Committee recommendation | $2,200,000 |

The Committee has provided $2,200,000 for stages 1 and 2 engineering studies for a demonstration project to improve Interstate Route 15 Spring Mountain Interchange in Las Vegas, NV, for the purpose of demonstrating construction and reconstruction techniques suitable for the replacement of a major intersection on a heavily utilized, urban transportation route.

### MANHATTAN BRIDGE REPLACEMENT DEMONSTRATION PROJECT

| | |
|---|---|
| Appropriations, 1989 | |
| Budget estimate, 1990 | |
| House allowance | |
| Committee recommendation | $3,210,000 |

The Committee has provided $3,210,000 for a demonstration project for the cost of preliminary engineering and right-of-way acquisition for the replacement of the Kansas River Bridge in Manhattan, KS.

### JUNCTION CITY HIGHWAY IMPROVEMENT DEMONSTRATION PROJECT

| | |
|---|---|
| Appropriations, 1989 | |
| Budget estimate, 1990 | |
| House allowance | |
| Committee recommendation | $400,000 |

The Committee has included $400,000 for 80 percent of the project cost to demonstrate the value of adding acceleration and deceleration lanes along two exits of U.S. Route 77, in Junction City, KS.

## NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

### SUMMARY OF FISCAL YEAR 1990 PROGRAM

The National Highway Traffic Safety Administration [NHTSA] was established as a separate organizational entity in the Department of Transportation in March 1970, to reduce the mounting number of deaths, injuries, and economic losses resulting from traffic accidents on the Nation's highways. Later, activities were added for improving automotive fuel economy and to institute some consumer programs. The National Traffic and Motor Vehicle Safety Act provides for the establishment and enforcement of Federal safety standards for motor vehicles and associated equipment and research, including the operation of required testing facilities. The Motor Vehicle Information and Cost Savings Act initially provided for the establishment of low-speed collision bumper standards, consumer information activities, diagnostic inspection, and odometer regulations and was later amended to incorporate responsibility for the administration of Federal automotive fuel economy standards. Under section 403 of title 23, United States Code, technical assistance is provided to the States in the conduct of their highway safety programs, and research and demonstration projects are conducted to develop and show the effectiveness of new techniques and countermeasures to address highway safety problems.

Grants are provided to the States under title 23, United States Code, section 402 to assist in the establishment and improvement of highway safety programs designed to reduce traffic deaths and injuries. Grants are funded as contract authority and are apportioned by formula to the States. Incentive grants are also allocated to the States for alcohol safety programs under title 23, United States Code, section 408.

The Committee recommends a total program level of $236,172,000 for the activities and programs of the National Highway Traffic Safety Administration for fiscal year 1990. This is $967,000 more than the budget request and $6,172,000 more than the House allowance.

The following table summarizes the Committee recommendations:

[In thousands of dollars]

| Program | Fiscal year 1989 program level | Fiscal year 1990 budget estimate | House allowance | Committee recommendations |
|---|---|---|---|---|
| Operations and research | 98,650 | 106,705 | 104,000 | 110,172 |
| (Trust fund) | (30,751) | (31,772) | (32,316) | (31,772) |
| Highway traffic safety grants: | | | | |
| (Liquidation of contract authority) | (130,500) | (132,000) | (132,000) | (132,000) |
| Safety formula grants [1] | 115,000 | 115,000 | 115,000 | 115,000 |
| Alcohol safety incentive grants [1] | 11,000 | 13,500 | 11,000 | 11,000 |
| Highway safety information and education [2] | (4,750) | (4,750) | (4,750) | (4,750) |
| Total | 224,650 | 235,205 | 230,000 | 236,172 |

[1] Obligation ceiling on contract authority.

[2] Cumulative obligation limitation.

## OPERATIONS AND RESEARCH

### (INCLUDING TRUST FUNDS)

| | General | Trust | Total |
|---|---|---|---|
| Appropriations, 1989 | $67,899,000 | $30,751,000 | $98,650,000 |
| Budget estimate, 1990 | 74,933,000 | 31,772,000 | 106,705,000 |
| House allowance | 71,684,000 | 32,316,000 | 104,000,000 |
| Committee recommendation | 78,400,000 | 31,772,000 | 110,172,000 |

Included under this head was a $9,000,000 request from the administration to combat drugged-driving as authorized by the Anti-Drug Abuse Act of 1988.

The bill includes an appropriation of $110,172,000 for operations and research, which is $3,467,000 more than the budget request and $6,172,000 more than the House allowance.

This level of funding provides for 656 full-time permanent positions. The position levels by program are listed in the table.

The amount appropriated is to be distributed as follows:

[Dollars amounts in thousands]

| Program | Fiscal year 1989 appropriation level | Fiscal year 1990 budget estimate | House allowance | Committee recommendations |
|---|---|---|---|---|
| Rulemaking | $7,890 | $8,147 | $8,300 | $7,890 |
| Positions | (91) | (91) | (93) | (91) |
| Enforcement | $12,490 | $13,161 | $13,075 | $12,490 |
| Positions | (101) | (101) | (101) | (101) |
| Highway safety | $25,720 | $30,588 | $30,425 | $35,873 |
| Positions | (177) | (181) | (179) | (181) |
| Research and analysis | $45,800 | $47,544 | $45,150 | $47,219 |
| Positions | (146) | (146) | (146) | (146) |
| General administration | $8,550 | $8,956 | $8,825 | $8,550 |
| Positions | (91) | (91) | (91) | (91) |
| Office of the Administrator | $3,050 | $3,209 | $3,125 | $3,050 |
| Positions | (46) | (46) | (46) | (46) |
| Total | [1] $103,500 | [2] $111,605 | [2] $108,900 | [2] $115,072 |
| Positions | (652) | (656) | (656) | (656) |

[1] Includes $4,850,000 available for administration of 402 grants.

[2] includes $4,900,000 available for administration of 402 grants.

### RULEMAKING

This activity covers rulemaking relative to Federal motor vehicle safety standards, fees and equipment, automotive fuel economy standards, international harmonization of standards, and regulatory reform. The rulemaking effort is financed entirely from Federal funds.

The House has included $205,000 above that requested by the administration for the rulemaking program, including $125,000 for the new car assessment program, and, $80,000 to support two additional positions. The Committee has provided the fiscal year 1989 funding level of $7,890,000, and does not concur with the House Committee's allowance.

### ENFORCEMENT

This program provides for the enforcement of programs described under the rulemaking activity, including manufacturer compliance with motor vehicle safety and fuel economy standards, investigation of safety-related defects, and surveillance of odometer tampering. Financing is entirely from Federal funds.

The Committee recommendation is the same level as provided in fiscal year 1989.

### HIGHWAY SAFETY

This program provides technical support to States in the conduct of their safety programs, conducts demonstration programs emphasizing alcohol countermeasures and safety belt usage, and provides for the operation and improvement of the national driver register. In addition, the program will be involved in the implementation of the Federal motor vehicle safety standard 208 on occupant protection.

The House has included additional funding for a number of projects above that requested by the administration. The additional earmarks included: $1,000,000 for a safety-belt education program; $250,000 for a Dade County, FL, trauma system support grant; $175,000 for a community-based comprehensive highway safety demonstration project; and, funding up to a total of $965,000 for Project TEAM (techniques for effective alcohol management).

In addition, the House has proposed reductions to the administration's highway safety proposal. Those reductions include: −$1,000,000 for the drug evaluation and classification training programs; −$115,000 supporting two additional safety personnel in the motorcycle/pedestrian area; −$185,000 for highway safety contracts; and, −$100,000 associated with the National Driver Register.

The Committee concurs with the House in deferring the administration's request for two additional personnel in the motorcycle/pedestrian area, until NHTSA has better demonstrated how these additional resources, (funded with section 403 funds), will enhance the motorcycle/pedestrian activities funded with section 402 safety grants. In addition, the Committee concurs with the other reductions proposed by the House, which would result in net funding of

$3,000,000 for the drug evaluation and classification programs, and $4,300,000 for the National Driver Register.

The Committee does not recommend the additional funding proposed by the House for the safety belt public education effort; for the Dade County, FL, trauma support system; or for the community based demonstration project. The Committee does agree with the House earmark which would provide a minimum of $965,000 for the TEAM project.

The Committee has included $1,500,000 above that requested by the administration and that provided by the House for increased efforts in the area of speed enforcement. This additional funding is for two to four speed enforcement demonstration projects which combine high technology speed enforcement strategies, such as photo radar with media support. The Committee expects that one demonstration project will be conducted on the Capital Beltway around Washington, DC, one in the Northeast United States and one in the Northwest United States. Included in the amount is funding for two additional personnel for the police traffic services area.

The increase proposed by the Committee will permit NHTSA to increase the level of emphasis in speed enforcement to a priority status with safety belts and drunk and drugged driving. These personnel are necessary to manage the demonstration projects, develop antispeed campaign material, and assist in the exchange of technology by conducting enforcement workshops and developing citizen support for speed enforcement.

The Committee directs NHTSA to report to the House and Senate Committees no later than February 1, 1990, on its efforts in the area of truck safety. In particular, the Committee believes that NHTSA, in conjunction with the Federal Highway Administration, needs to do more to provide useful information to the motoring public about sharing the road with commercial motor carriers. As commercial truck traffic increases on our Nation's highways, it is imperative that NHTSA address the problem of traffic mix and begin to report on measures necessary to protect the traveling public while ensuring efficient commercial traffic movement.

Public Law 100-690 added to the Highway Safety Act of 1966 a new section (410) which establishes a two-tiered incentive grant drunk driving prevention program. Under this program, a State may qualify for basic and supplemental grants not to exceed 85 percent of the State's fiscal year section 402 apportionment. The Committee has included $5,000,000 for the section 410 program.

### RESEARCH AND ANALYSIS

This program provides motor vehicle safety and highway safety research and development in support of all NHTSA programs, including the collection and analysis of data to identify safety problems, develop alternative solutions, and assess costs, benefits, and effectiveness. Major activities include crashworthiness research and support for the national accident sampling system and the fatal accident reporting system.

The Committee rejects the increases proposed by the House which would provide $1,000,000 for injury control grants, and

$2,000,000 for shock-trauma research by Jackson Memorial Hospital.

Starting in 1986, NHTSA and the Centers for Disease Control [CDC] funded a 3-year pilot project to carry out the recommendations of the National Academy of Sciences to develop a national center for injury control. During fiscal years 1986 through 1989, the Transportation Subcommittees of the House and Senate provided $29,000,000 for this effort. In addition, in fiscal year 1989, $20,000,000 was provided through the Department of Health and Human Services [HHS]. The Committee expects that in fiscal year 1990 additional funding will be through the HHS appropriations.

To fund the proposed increases the House has reduced research and analysis contracts by $225,000; reduced funding for the national accident sampling system [NASS] by $100,000; and totally eliminated funding of $5,000,000 for a pilot grants program for the random testing of illegal drug use. Under section 9005 of the Omnibus Drug Act of 1988, NHTSA was charged with conducting a four-State demonstration project to determine the feasibility and effectiveness of random drug testing for first time driver license applicants and for licensed drivers during the first year after issuance of their licenses.

The Committee believes that the pilot program for random drug testing should go forward. Based on expected delays that are usually associated with the start-up of a new program, the Committee has provided $2,000,000 of the $5,000,000 authorized for this project.

The Committee has provided $3,000,000 above the budget request for NHTSA to establish a university based national cooperative research center for advanced driving simulation and mechanical design optimization. Each year over 2 million are injured on our Nation's highways, and the Committee expects that such a center can provide crucial information on alternative vehicle designs and standards. The university shall have demonstrated national leadership in real-time simulations of vehicular systems and a demonstrated capacity to form cooperative relations with the automotive industry. The university should ideally be located at a health science complex where the effects of medical conditions, alcohol and drug abuse, and normal aging can be evaluated.

The Committee concurs with the House's proposed reductions for contracts and NASS.

## GENERAL ADMINISTRATION AND OFFICE OF THE ADMINISTRATION

Major activities include overall executive direction, planning, program evaluation, and implementation. The Committee recommends a total of $11,600,000 for these activities, which is $350,000 below the House allowance.

### HIGHWAY TRAFFIC SAFETY GRANTS

### (LIQUIDATION OF CONTRACT AUTHORIZATION)

### (HIGHWAY TRUST FUND)

| | |
|---|---|
| Appropriations, 1989 | ($130,500,000) |
| Budget estimate, 1990 | (132,000,000) |
| House allowance | (132,000,000) |
| Committee recommendation | (132,000,000) |

Under the Highway Traffic Safety Grants Program, grants of contract authority are provided to the States to assist in the establishment and improvement of highway safety programs designed to reduce traffic deaths and injuries. Safety formula grants are apportioned to the States on the basis of population (75 percent), and public road mileage (25 percent). The program requires that the States match 25 percent of the Federal contribution with their own funds. Activities are centered predominantly on efforts that will control the drinking/drugged driver; increase the intensity of traffic law enforcement; improve the quality of emergency medical services; implement programs to increase seat belt usage; and improve the collection and analysis of traffic accident data. Incentive grants are also allocated to the States for alcohol safety programs.

The Committee recommends an appropriation for liquidation of contract authorization of $132,000,000 for the payment of obligations incurred in carrying out provisions of the State and Community Highway Safety Program (sec. 402), the Schoolbus Driver Training Program (sec. 406), the Alcohol Safety Incentives Grant Programs (sec. 408), and the Safety Education and Information Grants Program (sec. 209).

#### LIMITATION ON OBLIGATIONS (SEC. 402)

The Committee proposes a total limitation of $115,000,000 for obligations to be incurred under the Safety Formula Grants Program of section 402. This is the same as the budget request and the House allowance.

#### ALCOHOL INCENTIVE GRANTS (SEC. 408)

The Committee proposes a total limitation of $11,000,000 for obligations to be incurred under the section 408 Alcohol Incentive Grants Program.

#### SAFETY EDUCATION AND INFORMATION GRANTS (SEC. 209)

The Committee proposes to limit cumulative section 209 obligations at $4,750,000. This is the same level as the budget request and the amount provided by the House.

## FEDERAL RAILROAD ADMINISTRATION

### SUMMARY OF FISCAL YEAR 1990 PROGRAM

The Federal Railroad Administration became an operating administration within the Department of Transportation on April 1, 1967. It incorporated the Bureau of Railroad Safety from the Interstate Commerce Commission, the Office of High Speed Ground Transportation from the Department of Commerce, and the Alaska Railroad from the Department of the Interior. The Federal Railroad Administration is responsible for planning, developing, and administering programs to achieve safe operating and mechanical practices in the railroad industry. Grants to the National Railroad Passenger Corporation (Amtrak) and other financial assistance programs to rehabilitate and improve the railroad industry's physical plant are also administered by the Federal Railroad Administration.

The Committee recommends new appropriations totaling $715,123,000 for the activities of the Federal Railroad Administration for fiscal year 1990. This is $653,714,000 more than the budget request, $43,060,000 more than the amount provided for fiscal year 1989, and $12,978,000 more than the House allowance. These comparisons do not include the offsets associated with the redeemable preference share loan asset sales and the receipt of repaid debt borrowings.

The following table summarizes the Committee recommendations:

[In thousands of dollars]

| Program | Fiscal year 1989 appropriation level | Fiscal year 1990 budget estimate | House allowance | Committee recommendations |
|---|---|---|---|---|
| Office of the Administrator | 20,852 | 15,180 | 14,400 | 15,144 |
| (By transfer) | (4,000) | | | |
| Local rail service assistance | | | | 7,000 |
| Railroad safety | 27,825 | 30,307 | 31,900 | 32,057 |
| Railroad research and development | 9,286 | 9,277 | 9,600 | 9,277 |
| Northeast Corridor Improvement Program | 19,600 | | 19,600 | 30,000 |
| Grants to Amtrak | 584,000 | | 615,000 | 615,000 |
| Railroad rehabilitation and improvement financing funds | (99,000) | (15,000) | (50,000) | (50,000) |
| Conrail commuter transition assistance | 4,500 | | 5,000 | |
| Regional rail reorganization | | 101,578 | 101,578 | 101,578 |
| Portion applied to debt | | −94,933 | −94,933 | −94,933 |
| Freightline rehabilitation | 6,000 | | | |
| Railroad loan | | | (3,500) | |
| Total | 672,063 | 61,409 | 702,145 | 715,123 |

## OFFICE OF THE ADMINISTRATOR

| | |
|---|---|
| Appropriations, 1989 | $20,851,850 |
| (By transfer) | (4,000,000) |
| Budget estimate, 1990 | 15,180,000 |
| House allowance | 14,400,000 |
| Committee recommendation | 15,144,000 |

The Office of the Administrator provides support and guidance on critical issues concerning the railroad industry and the day-to-day operations of the Federal Railroad Administration. The appropriation includes budget activities, executive direction and administration and policy support aimed at resolving critical problems in the railroad industry. Programs funded are: (1) administration and special projects—includes the salaries and related expenses for administering FRA's assistance programs; and (2) contractual support for policy studies.

| | Fiscal year 1990 budget estimate | House allowance | Committee recommendations |
|---|---|---|---|
| Local rail service assistance | | | |
| Washington Union Station | | | |
| Contractual support | $980,000 | $925,000 | $980,000 |
| Salaries and expenses | 13,164,000 | 12,975,000 | 13,164,000 |
| Alaska RR workers' compensation | 1,036,000 | | |
| Asset sale administration | | | |
| High-Speed Rail Commission | | 500,000 | 1,000,000 |
| Total appropriation | 15,180,000 | 14,400,000 | 15,144,000 |
| Staff-years | (185) | (196) | (196) |

### SALARIES AND EXPENSES

This activity provides for salaries and related expenses for the Office of the Administrator and his immediate staff, Executive Director and staff, Chief Counsel, civil rights, public affairs, budget, administration, policy, and passenger and freight services.

### LEGAL STAFF TO SUPPORT A VIGOROUS ENFORCEMENT EFFORT

The Committee realizes that the requirements of the 1988 act to develop some 12 new regulations on a timely basis placed a substantial demand on FRA's Office of Chief Counsel. These regulatory development efforts took away from the time needed to process and settle civil penalty enforcement cases. The Committee also realizes that additional regulatory development efforts are needed to implement fully the 1988 act. It is clear that FRA's rulemaking efforts during the next few years will be of an unprecedented magnitude. Nevertheless, the Committee does not want to see the vigor of FRA's enforcement efforts to decrease or to see a huge buildup in the number of unsettled enforcement cases. Consequently, the Committee is providing, as FRA requested, one additional position and three additional full-time equivalents to support the expanded program workloads in the Office of Chief Counsel. The Committee is also adding one additional full-time equivalent position for clerical support in the Office of Chief Counsel to ensure the timely processing of enforcement cases and regulatory proceedings.

With these additional personnel, the Committee expects that within the near future FRA will again begin to collect the same or higher levels of civil penalties that it has collected in the recent past. During fiscal year 1988, FRA collected only $2,500,000 in its civil penalty actions; during fiscal year 1987, fiscal year 1986, and fiscal year 1985 this amount was $3,400,000, $3,100,000, and $6,100,000, respectively. The Committee is concerned that the total sum of civil penalty forfeiture collected during fiscal year 1988 is sending an inappropriate message to industry and to railroad employees and the hazardous materials community. Meaningful levels of penalties are needed to reduce noncompliance. The level of penalties collected should not decrease until FRA has definitive proof that the level and types of noncompliance in all aspects of railroad safety, including human factor causes, has substantially decreased and reached an acceptable level. The Committee agrees with FRA's statement in its budget justification that, "there is room for substantial improvement in the area of human factor-caused accidents."

The Committee maintains that effective and meaningful enforcement requires the prompt settlement of enforcement cases. In fact, it is in the interest of safety and justice that these cases be settled within a reasonable period of time from when the violations were first documented. The Committee is concerned that FRA has amassed a huge backlog of civil penalty cases totaling potentially $10,500,000 in fines that need to be settled expeditiously. The Committee directs FRA to work vigorously toward substantially reducing this backlog. The Committee does not want regulatory development efforts to continue to hinder FRA's enforcement program, specifically the processing of enforcement cases.

### DRUG AND ALCOHOL ABUSE

The Committee also expresses its support of FRA's fiscal year 1990 budget proposal for increased funding for fighting drug and alcohol abuse in the railroad industry. Vigorous surveillance of the railroads' implementation of recently issued random drug testing requirements will be essential.

### CONTRACTUAL SUPPORT

This activity develops positions regarding various proposed structural changes in the railroad industry. Contractual support is used to conduct internal studies dealing with traffic, economic forecasting, financial condition, and other factors that contribute to an efficient national freight railroad network.

### ALASKA RAILROAD WORKERS' COMPENSATION

This activity provides for the necessary reimbursement of workers' compensation payments made by the Department of Labor to former employees of the Alaska Railroad.

The Committee has not included any additional funding for this activity. The compensation payments have already been made by the Department of Labor.

### COMMISSION ON RAILROAD RETIREMENT REFORM

The Committee directs the administrator to promptly make available staff assistance, and other necessary support to enable the Commission on Railroad Retirement Reform, established by section 9033 of H.R. 3545, Public Law 100-203, to commence operations. The administrator shall enter into whatever agreements may be necessary with other Federal agencies to carry out this directive.

### HIGH-SPEED RAIL

The Committee recommendation includes $1,000,000 to provide grants for up to 50 percent of the cost to States (or other designated entities) of contractual support needed to evaluate and verify the benefits and impacts of specific private sector interstate high-speed rail proposals. These funds also may be used by the FRA to evaluate and verify the safety provisions incorporated into the system design and operating practices of super high-speed magnetic levitation systems that are proposed for deployment.

## LOCAL RAIL SERVICE ASSISTANCE PROGRAM

| | |
|---|---|
| Appropriations, 1989 | |
| Budget estimate, 1990 | |
| House allowance | |
| Committee recommendation | $7,000,000 |

The Local Rail Service Assistance Program was established by the Regional Rail Reorganization Act of 1973 to provide financial support to States for the continuation of rail freight service on abandoned light density lines in the Northeast. The Railroad Revitalization and Regulatory Reform Act of 1976 expanded the program to all States. In 1978 the program was further expanded and amended to allow capital assistance for rehabilitation prior to, rather than after, abandonment. Amendments in 1981 prohibited the use of these funds for operating subsidies.

The Committee has recommended a funding level of $7,000,000. The Committee has included bill language reserving $36,000 for each eligible State under section 5(i) or (h)(2). The remainder is reserved to be used on a discretionary basis.

## RAILROAD SAFETY

| | |
|---|---|
| Appropriations, 1989 | $27,825,000 |
| Budget estimate, 1990 | 30,307,000 |
| House allowance | 31,900,000 |
| Committee recommendation | 32,057,000 |

This appropriation finances the development, administration, and enforcement of programs designed to achieve safe operating and mechanical practices in the railroad industry.

The Committee recommends a $32,057,000 program level for the Railroad Safety Program. This is $1,750,000 above the budget request for railroad safety and $157,000 above that recommended by the House.

The funds for rail safety are intended to be distributed as follows:

| | Fiscal year 1990 budget estimate | House allowance | Committee recommendations |
|---|---|---|---|
| Federal enforcement (field inspectors) | $25,047,000 | $24,777,000 | $25,047,000 |
| Permanent positions | (419) | (419) | (419) |
| Grants-in-aid for railroad safety | | | |
| Automated track inspection | $1,181,000 | $1,175,000 | $1,181,000 |
| Regulation and administration | $4,079,000 | $5,982,000 | $5,829,000 |
| Permanent positions | (67) | (67) | (67) |
| Total appropriation | $30,307,000 | $31,900,000 | $32,057,000 |

*Federal enforcement.*—This program provides salaries and related expenses for safety field operations. Federal inspectors monitor railroads for compliance with Federal laws with specific emphasis on passenger and hazardous material routes. In addition, this staff provides training to State and railroad industry personnel on safety enforcement activities, including programs dealing with alcohol and drug abuse problems. The administration requested funding for 40 new positions for initial implementation of safety regulations mandated in the Rail Safety Improvement Act of 1988. Based on information provided the Committee, it is expected that Federal inspectors will spend no less than 15 days per month in the field.

### RAILROAD SAFETY

The Rail Safety Improvement Act of 1988, the most important railroad safety legislation since 1970, is placing new and increased demands on the Federal Railroad Administration [FRA]. FRA's regulatory formulation actions taken thus far, together with those planned, will, with Committee support, help ensure that the substantial improvements in rail safety obtained during the last 10 years continue during the next 10 years. More specifically, FRA's actions to extend the civil penalty provisions of the safety regulations to individuals, to increase the maximum penalty amount, and to raise the penalty amounts that will initially be assessed for violations of particular regulations will further improve railroad safety.

The Committee maintains that it is essential that FRA has the enforcement manpower necessary to administer properly the 1988 act. Consistent with this objective, the Committee supports FRA's request for an additional 34 field safety inspectors to enhance the management and enforcement of new regulations mandated by the Rail Safety Improvement Act of 1988. These new inspectors will be assigned to diverse geographic areas and will be spread among different inspector disciplines with emphasis on hazardous materials and operating practices work. The Committee also supports FRA's request for four supporting field personnel and two additional positions in FRA headquarters in the safety program.

The Committee, however, must express its displeasure at the high vacancy rate (roughly 10 percent) in FRA's field staff. Unfortunately, this problem is likely to continue because of the high rate of turnover expected as an increasing number of senior inspectors retire. The Committee directs FRA to work with the Office of Personnel Management and other appropriate organizations, including organized labor, to find innovative approaches to address this problem. The Committee will want FRA to discuss this problem and the vigorous steps it took to staff fully its enforcement program at next year's hearing.

The Committee directs that FRA continue to assign four inspectors to West Virginia, and that any vacancy occurring in the inspector positions be filled immediately, by transfer if necessary.

The Committee has also added $1,750,000 above the budget in the regulation and administration activity in order to fully support the additional 40 positions requested, including 34 field safety inspectors. It is the Committee's understanding that FRA is accustomed to using funds appropriated for safety inspectors, but not expended for that purpose due to the large number of vacancies, for other purposes. If the FRA moves promptly to fill the current vacancies, to replace anticipated retirees, and to add the additional 40 positions, the budget request would not fund the personnel costs. The Administrator is encouraged to review this issue and be prepared to discuss it with the Committee during the 1991 hearing.

The FRA is directed to provide a proposed distribution of new inspector positions to the Committee for approval prior to December 1, 1989, specifying the proposed distribution by geographical region and by discipline.

With the additional staff provided in this bill, the Committee maintains that the FRA work force is approaching a sufficient size that will ensure that vigorous enforcement actions are taken against both carriers and individuals who violate our Nation's railroad safety and hazardous materials transportation regulations in the rail mode. Although compliance with all of the safety regulations is essential, the Committee especially recognizes the importance of FRA ensuring compliance with the new safety regulations that have resulted because of the 1988 act. Such regulations as those dealing with the willful tampering of safety devices, pretrip testing, and certification of safety equipment (automatic train control, train stop, and cab signal tests), licensing or certification of train operators, and installation of automatic train control equipment are likely to require a vigorous inspection program to ensure compliance. The Committee directs FRA to implement diligent enforcement efforts to ensure compliance with these regulations as soon as they are effective.

*Automated track inspection.*—This program provides for the operation of a self-propelled automatic track inspection vehicle which annually surveys approximately 28,000 miles of track.

*Regulation and administration.*—This program funds the salaries and related expenses of safety headquarters personnel, data gathering and dissemination, planning and evaluation activities, and provides direction to the field enforcement staff. The Committee has provided the requested position level of 65.

## RAILROAD RESEARCH AND DEVELOPMENT

| | |
|---|---|
| Appropriations, 1989 | $9,286,000 |
| Budget estimate, 1990 | 9,277,000 |
| House allowance | 9,600,000 |
| Committee recommendation | 9,277,000 |

The Federal Railroad Administration's Railroad Research and Development Program plans and conducts research aimed at improving all aspects of the safety of train operations and maintenance, as well as stimulating new industry safety developments and trends. This program will address research in (1) equipment operations and hazardous materials transport safety; (2) track, right-of-way, and track/train interaction safety.

The Committee recommends an appropriation of $9,277,000 for railroad research and development. This is the same as the budget and $323,000 below the House allowance.

### RESEARCH AND DEVELOPMENT

According to FRA, during 1988 human performance factors have become the largest single category of causes of train accidents. Human performance factors also have played a disproportionate, and increasing, role in many of the most severe railroad accidents.

The Committee is concerned about the relatively small amount of FRA's research and development budget that has been dedicated to projects pertaining to the human performance issue of railroad safety. Partly as a result of prior efforts of this Committee, the relative amount of, and emphasis on, human performance-related research has increased (even though it is still only 10 percent of the total) and the Committee expects this trend to continue until the role of these factors decreases in accident causation. FRA should coordinate its human factors research program with representatives of industry and labor.

The Committee directs FRA in its fiscal year 1991 request to prepare an R&D budget that substantially increases the relative importance and percentage of human factors research. The Committee believes much more can and should be done in this area and would support innovative research projects, including such areas as stress from shift work and other irregular work schedules or continued alcohol and drug problems.

### AAR TANK CAR REPORT

The Committee directs FRA and RSPA to submit their report reviewing DOT's relationship and oversight of the AAR Tank Car Committee no later than 1 month after enactment of this legislation.

## NORTHEAST CORRIDOR IMPROVEMENT PROGRAM

| | |
|---|---|
| Appropriations, 1989 | $19,600,000 |
| Budget estimate, 1990 | |
| House allowance | 19,600,000 |
| Committee recommendation | 30,000,000 |

Title VII of the Railroad Revitalization and Regulatory Reform [4-R] Act of 1976, as amended, provides for the upgrading of the Northeast corridor between Boston, MA, and Washington, DC. The law requires upgrading of the corridor to facilitate the provision of safe, dependable, rail passenger service and faster trip times. Pursuant to amendments of the 4-R Act in 1980, the major improvement work has been redirected toward the most heavily traveled segments of the corridor and emphasizes safety and reliability. Through fiscal year 1989, the total amount appropriated for this program has been $2,358,724,000 of the $2,585,000,000 authorized including public grade crossing support.

The House has provided $19,600,000 for fiscal year 1990 and has earmarked the funds for specific projects. The Committee recommends an appropriation of $30,000,000.

The Committee recommendation compared to the House distribution is:

| Activity | Amtrak request | House allowance | Committee recommendations |
|---|---|---|---|
| Rolling stock improvements | | | |
| Delaware-New Jersey CETC | $5,000 | $5,000 | $5,000 |
| Penn Station train servicing facilities | 2,500 | 2,400 | 2,400 |
| Penn Station platforms | 1,500 | | 1,500 |
| Electric traction upgrades | 5,000 | 2,400 | 2,400 |
| Communication/signal system upgrades | 3,300 | 3,300 | 3,300 |
| Bridge replacement/upgrades | 4,000 | 1,000 | 4,000 |
| Track improvements | 30,300 | 1,000 | 6,900 |
| New York tunnels fire protection equipment | 4,500 | 4,500 | 4,500 |
| Total appropriation | 56,100 | 19,600 | 30,000 |

Included in the Committee's allowance for fiscal 1990 is $4,000,000 for repairs and renovations to the Amtrak bridges over the Bush and Gunpowder Rivers in Maryland.

## GRANTS TO NATIONAL RAILROAD PASSENGER CORPORATION (AMTRAK)

| | |
|---|---|
| Appropriations, 1989 | $584,000,000 |
| Budget estimate, 1990 | |
| House allowance | 615,000,000 |
| Committee recommendation | 615,000,000 |

The National Railroad Passenger Corporation (Amtrak) has been provided Federal assistance through the Department of Transportation since Amtrak's inception in May 1971, to support a national rail passenger system. This assistance has been in the form of grants for capital improvements, operating subsidies, cost sharing for intrastate rail services, and funds for labor protection costs associated with the discontinuance of rail passenger service.

Amtrak currently operates approximately 250 trains on a national system of over 24,000 route miles. This includes approximately 600 miles in the Northeast corridor and over 200 off-corridor miles owned by Amtrak. Approximately 15 percent of Amtrak's operating subsidy is paid to 21 railroads for services provided for the operation of trains for Amtrak.

The administration did not request any funding for this program in fiscal year 1990. The Committee recommends a funding level of $615,000,000, which is $31,000,000 above the 1989 level and the same as the House allowance. The Committee recommendation is also below the Amtrak budget request of $654,000,000, which is the authorized level for fiscal year 1990.

The Committee is recommending separating the "Grants to Amtrak" account into two separate accounts, one for operations and one for capital.

### OPERATIONS

The allowance provides $530,000,000 for operations.

Included in the operations grant is $528,000,000 for operations and $2,000,000 for labor protection, for a total of $530,000,000. This is a reduction of 5 percent from 1989 appropriations to date of $556,000,000 and a reduction of 4 percent from Amtrak's fiscal year 1990 request of $550,000,000.

## AMTRAK AND NEW JERSEY TRANSIT

Amtrak commenced its new Atlantic City service on May 23, 1989, with six trains serving Atlantic City daily from New York, Washington, DC, and Philadelphia. Amtrak projects that the new services will serve 1.5 million passengers a year with revenues totaling approximately $30,000,000, and that revenues will more than cover the cost of operating the service. Although actual ridership through August was below the level projected by Amtrak, a recent agreement reached with an Atlantic City casino to provide financial bonuses to rail passengers equivalent to those already provided bus passengers could significantly boost patronage.

In the past, Congress has required that Amtrak cover at least 80 percent of the short-term avoidable cost of operating the Atlantic City service during the first year of operation and 100 percent of the cost thereafter. Pursuant to this requirement, Amtrak executed a complex agreement with New Jersey Transit, which participated in the restoration of the rail line to Atlantic City and plans to inaugurate soon commuter service along the line, governing the responsibility for losses and allocating agreement, in the event Amtrak's actual financial experience during any year fails to meet the congressionally mandated 80 or 100 percent cost recovery and Amtrak would have to discontinue its intercity service, New Jersey Transit is required to choose one of several options. These include paying Amtrak the cost difference; taking over Amtrak's intercity operations to Atlantic City; discontinuing intercity and commuter service; or reimbursing Amtrak for its portion of the funds spent to restore the Atlantic City line. In return, New Jersey Transit is entitled to share in the allocation of revenues generated in excess of Amtrak's cost, as well as exercise a degree of control over Amtrak's intercity service to Atlantic City.

Now that Atlantic City service actually has commenced, Amtrak and New Jersey Transit are anxious to simplify and alter the cost allocation terms of their contract. New Jersey Transit has expressed concern over the requirement that it absorb costs in the event Amtrak fails to meet the congressionally mandated cost recovery. Amtrak wants more flexibility in operating its service to ensure that it maximizes its revenues and ridership, as well as full control over revenues generated in excess of its costs. The parties have negotiated a new agreement under which Amtrak would operate intercity service without any financial contribution by New Jersey Transit to cover losses. Amtrak would operate and maintain the Atlantic City rail line and charge New Jersey Transit on a car-mile basis for use of the line for commuter or freight service. Amtrak would exercise full control over its operation of intercity service and New Jersey Transit would exercise full control over its commuter operations on the line. This new agreement is conditioned on the elimination of the congressional requirement that Amtrak cover specified levels of the cost of operating its Atlantic City service or cease its operations to Atlantic City.

The Committee believes that the new arrangement approved by Amtrak and New Jersey Transit puts the Atlantic City line on comparable footing as other lines, is in the public interest and accordingly has not included language requiring Amtrak to cover 80 percent of the short-term avoidable costs of the service in the first year and 100 percent thereafter. Amtrak is confident that the service will generate revenues in excess of cost. Under the new arrangement, any such revenues would be retained entirely by Amtrak, which will improve Amtrak's revenue to cost ratio and reduce the amount of Federal operating support needed by Amtrak. New Jersey Transit will be relieved of potential liability for Amtrak shortfalls at a time when it is reducing service statewide due to a shortage of funding. The Committee will closely follow Amtrak's financial experience with the Atlantic City line to ensure that the service positively impacts Amtrak's performance.

In this regard, Amtrak is requested to submit a report to the Committee by February 1, 1990, summarizing the first 6 months of operation of the line (June 1, 1989 to December 1, 1989), analyzing the ridership, revenues, and costs and projecting the present attainment of the short-term avoidable cost target. The Committee will review Amtrak's performance at the fiscal year 1991 appropriation hearing.

The Committee has also recommended deletion of House bill language concerning the acquisition and rehabilitation of a rail line between Spuyten Duyvil, NY, and the main line of the Northeast corridor.

### IMPACT OF ATLANTIC CITY SERVICE ON NEW JERSEY COMMUNITIES

Residents of several of the communities along the rail line between Philadelphia and Atlantic City have expressed concerns about safety, noise, and vibrations resulting from rail passenger operations.

Although the Federal Railroad Administration had concluded that "vibration from rail operations [would] not reach levels sufficient to cause architectural or structural damage" and noise levels would be well within applicable Federal standards, the communities' concerns should not be ignored.

The Committee understands that Amtrak officials have met with local officials and other concerned citizens to discuss this issue and that Amtrak and the local authorities have agreed to jointly contract for a consultant to measure vibration and noise standards.

The Committee is interested in the safety of residents along the rail line, as well as assuring that noise and vibrations are minimized. The Committee, therefore, directs Amtrak, in consultation with NJ Transit, to evaluate proposed additional measures to enhance safety and to control noise and vibrations, and to make the results of this study available to the Committee by March 1, 1990.

The Committee also directs Amtrak to undertake a study of the financial and market impact of stopping one or more of its Atlantic City service trains at Cherry Hill, NJ, and to make the results of this study available to the Committee by March 1, 1990.

### SERVICE TO GEORGIA AND FLORIDA

The Committee understands that Amtrak might be interested in resuming service to Jacksonville, FL, from Chicago, through Atlanta, GA, and other cities. The Committee requests that Amtrak prepare a report detailing the features of such an action and deliver it to the Committee by December 1, 1990.

### SERVICE TO OKLAHOMA

The Committee is encouraged about the possibility of Amtrak passenger rail service being restored to Oklahoma, the most populous State without service. Within the funding levels provided, the Committee supports efforts by Amtrak to further the restoration of Oklahoma service and requests information regarding impediments to the restoration of such service.

### CAPITAL GRANTS

The allowance provides $85,000,000 for capital grants.

Amtrak has testified that they need new equipment, including locomotives and passenger cars, and that their estimate is that an order of 50 new Viewliner cars will represent an economical order. The Committee expects that Amtrak will place an initial order for about 50 Viewliners from funds provided in this bill, or from funds available from private sources.

### SERVICE TO WEST VIRGINIA

The Committee notes that Amtrak has testified that the triweekly serviced provided via The Cardinal to West Virginia will be increased to a daily basis and that the accommodations will also be improved as a result of the acquisition of the Viewliner cars. This will provide a significantly increased service to West Virginia and to other States served by The Cardinal, and will foster the continued development of tourism and the continued improvement of transportation services in West Virginia. The Committee encourages Amtrak to move as expeditiously as possible to put Viewliner cars into service on The Cardinal.

The Committee directs Amtrak to spend, from funds made available by the Committee, $175,000 for their share of the cost to repair the fire-damaged train station at Kingston, RI, in addition to any other funding commitments Amtrak has made regarding repair of the station.

## RAILROAD REHABILITATION AND IMPROVEMENT FINANCING FUNDS

### (RAILROAD CREDIT ENHANCEMENT)

| | |
|---|---|
| Appropriations, 1989 | ($99,000,000) |
| Budget estimate, 1990 | (15,000,000) |
| House allowance | (50,000,000) |
| Committee recommendation | (50,000,000) |

The Committee recommends the inclusion of bill language requiring the sale of at least 50,000,000 dollars' worth of securities or promissory notes, for amounts equal to or greater than the net present value of each loan.

Section 511 of Public Law 94-210, as amended, authorizes obligation guarantees for meeting the long-term needs of the railroads. Railroads utilize this funding mechanism to finance major new facilities and rehabilitation or consolidation of current facilities. The

Committee proposes that no new loan guarantees be made during fiscal year 1990, and has included bill language prohibiting all new loan guarantees. This is the same as provided by the House.

Section 505 of the Railroad Revitalization and Regulatory Reform Act of 1976, as amended, authorizes the Secretary of Treasury to purchase fund anticipation notes from the Secretary of Transportation, which funds will be used to purchase redeemable preference shares from railroads to provide for capital needs to preserve rail freight services.

### REGIONAL RAIL REORGANIZATION PROGRAM

#### (APPROPRIATION FOR DEBT REDUCTION)

| | |
|---|---|
| Appropriations, 1989 | |
| Budget estimate, 1990 | $101,577,979 |
| (Portion applied to debt) | (−94,932,979) |
| House allowance | 101,577,979 |
| (Portion applied to debt) | (−94,932,979) |
| Committee recommendation | 101,577,979 |
| (Portion applied to debt) | (−94,932,979) |

The budget requested an appropriation of $101,577,979, of which $94,932,979 will be used to liquidate the debt to the U.S. Treasury for outstanding principal and capitalized interest, and $6,645,000, or such sums as may be necessary, to liquidate accrued interest. Both House and Senate recommendations are in agreement with the budget.

#### CONRAIL COMMUTER TRANSITION ASSISTANCE

| | |
|---|---|
| Appropriations, 1989 | $4,500,000 |
| Budget estimate, 1990 | |
| House allowance | 5,000,000 |
| Committee recommendation | |

The Committee has recommended no appropriation for this account, as requested in the budget, instead of $5,000,000 as recommended by the House.

#### AMTRAK CORRIDOR IMPROVEMENT LOANS

| | |
|---|---|
| Appropriations, 1989 | |
| Budget estimate, 1990 | |
| House allowance | ($3,500,000) |
| Committee recommendation | |

The Committee has recommended no appropriation for this account, as requested in the budget, instead of $3,500,000 as recommended by the House.

## URBAN MASS TRANSPORTATION ADMINISTRATION

### SUMMARY OF FISCAL YEAR 1990 PROGRAM

The Urban Mass Transportation Administration was established as a component of the Department of Transportation by Reorganization Plan No. 2 of 1968, effective July 1, 1968, which transferred most of the functions and programs under the Urban Mass Transportation Act of 1964, as amended (78 Stat. 302; 49 U.S.C. 1601 et seq.), from the Department of Housing and Urban Development.

The missions of the Urban Mass Transportation Administration are: to assist in the development of improved mass transportation facilities, equipment, techniques, and methods; to encourage the planning and establishment of urban mass transportation services needed for economical and desirable urban development; to provide mobility for transit dependents; to maximize productivity of urban transportation systems; and to provide assistance to State and local governments and their instrumentalities in financing such services and systems.

Under the Committee recommendations, a total program level of $3,020,280,000 would be provided for the activities of the Urban Mass Transportation Administration for fiscal year 1990. This is $1,455,280,000 more than the budget request and $146,529,000 less than the House allowance.

The following table summarizes the Committee's recommendations:

[In thousands of dollars]

| Program | Fiscal year 1989 program level | Fiscal year 1990 budget estimate | House allowance | Committee recommendation |
|---|---|---|---|---|
| Administrative expenses | 31,882 | | 31,809 | 31,880 |
| Research training and human resources | 10,000 | | 10,000 | 10,000 |
| Formula grants | 1,605,000 | | 1,705,000 | 1,605,000 |
| Discretionary grants limitation on obligations | 1,140,000 | | 1,140,000 | 1,140,000 |
| Formula transit grants—Limitation on obligations | | [1] 1,523,000 | | |
| Mass Transit Capital Fund (liquidation of contract authority) | (400,000) | [2] (1,200,000) | (900,000) | (900,000) |
| Interstate transfer grants—transit | 200,000 | ([3]) | 180,000 | 160,000 |
| Washington Metro | 168,000 | 42,000 | 100,000 | 73,400 |
| Total | 3,154,882 | 1,565,000 | 3,166,809 | 3,020,280 |

[1] The administration's request for formula transit grants covers administrative expenses; research, training, and human resources; elderly and handicapped; and planning activities.

[2] The administration's request estimated that $900,000,000 of liquidating cash was for discretionary capital grants and $300,000,000 was for the formula transit grants.

[3] The administration's request assumed that funds for the transfer program would be funded from the highway trust fund.

## ADMINISTRATIVE EXPENSES

| | |
|---|---|
| Appropriations, 1989 | $31,882,000 |
| Budget estimate, 1990 | ([1]) |
| House allowance | 31,809,000 |
| Committee recommendation | 31,880,000 |

[1] Included under formula transit grants at $32,300,000.

The Committee recommends a total of $31,880,000. The budget request for administrative expenses was predicated on the reduction of 16 full-time equivalents from the fiscal year 1989 level of 431. The Committee has provided $71,000 above the House level, $420,000 below the administration's request for fiscal year 1990, but the same as the total provided in fiscal year 1989. In addition, the Committee has included bill language which limits the operating expenses of the Office of the Administrator to $600,000. This is the same as the limitation imposed on the fiscal year 1989 funds. Similar language was not included by the House.

## SECTION 16B LEASING

The Committee directs UMTA to return to the procedures which governed the leasing of section 16(b)(2) vehicles to public bodies which were in effect prior to July 1988. The changes which UMTA adopted last year are inconsistent with the intent of the program and hinders the coordination of public and social service transportation for the elderly and handicapped.

Section 16(b)(2) was intended to provide services where regular mass transit services provided by public bodies were unavailable, insufficient, or inappropriate. It is the Committee's view that section 16(b)(2) operators should be allowed to lease their UMTA-funded equipment to public bodies whose transportation activities are limited to providing human services. Such equipment, if leased, may only be used to provide services to elderly and handicapped persons.

## NEW START CRITERIA

The Committee recognizes that UMTA has incorporated comprehensive land use planning and joint development in the federally required section 3(c) planning process. The Committee is concerned, however, that no credit is given by UMTA where cities have increased land use zoning density, attained private sector joint development commitments, assembled sites for joint development, or located transit corridors in areas of anticipated growth. In these instances, UMTA has not reflected the anticipated ridership forecasts or the cost efficiencies in rating the project.

A number of cities have recently undertaken efforts of this nature which are designed to achieve the maximum economic return from the Federal and local funds being invested. Transit and highway costs continue to rise which underscore the need for comprehensive land use planning that fully appreciates the economic benefits of the transit investment.

In order to achieve a higher national economic return from transit investments, the Committee believes that incremental joint development leasehold revenues should be credited as a local share match. In addition, the Committee believes that transit agencies should be allowed to retain lease revenues derived from the sale or lease of properties when these properties are utilized for a joint development project. The Committee believes that these incentives will encourage local transit agencies to engage in such development, and encourage them to fully explore the value capture of development on or near transit sites.

## TRANSPORTATION CORRIDORS

On April 25, 1989, UMTA issued a notice of proposed rulemaking [NPRM] relating to its major capital investment policy. This NPRM would restrict the development of major capital investment projects within a given transportation corridor. In effect the NPRM would allow for the development of only one corridor at a time within an area covered by a metropolitan planning organization [MPO].

The area covered by an MPO may vary greatly, and situations exist where several standard metropolitan statistical areas [SMSA] may be within one MPO. UMTA in its notice, on page 17888 of the Federal Register did acknowledge that these situations do exist:

> Within the geographical areas covered by these MPO's, there may be separate centers of population and employment, without close economic and social relationships, and there may be separate transit agencies and/or separate sources of local capital and operational funds. In such areas, UMTA is prepared to consider, on a case-by-case basis, advancing one corridor in each SMSA.

The Committee does not feel confident that the case-by-case basis will be consistently and uniformly applied to those projects competing for the limited amount of capital investment funds. In the past UMTA has inconsistently applied its own stated policies. In its "Urban Mass Transportation Major Capital Investment Policy", published in the Federal Register on May 18, 1984, UMTA stated:

> * * * grants are made to metropolitan planning organizations [MPO's] to carry out a continuous, comprehensive, and cooperative transportation planning process in each urbanized area.
>
> Although the comprehensive plan may identify the need for major new transportation facilities in several corridors, a regional system should be developed in stages, one operable segment at a time.

This 1984 policy statement has been referred to as the one corridor per MPO policy. In correspondence dated November 28, 1988, the UMTA Administrator stated that the policy of May 1984 limits alternatives analysis to the one corridor identified by local officials as their top priority. Yet, in previous correspondence dated April 24, 1987, a regional administrator wrote, "As you are aware, the bay area is unique in that it is engaged in two separate alternatives analysis * * *. We agreed that the UMTA policy of one alternatives analysis at a time was not violated because these corridors serve separate SMSA's."

It is apparent that UMTA policy is applied inconsistently, and even though the NPRM of April 25, 1989, suggests that if an MPO covers several SMSA's, a case-by-case evaluation will be made, there is nothing to suggest, based on past practices, that applicants will be given due consideration, nor be treated on an equitable basis.

The Committee feels that this situation will only be exacerbated by UMTA's newly announced over match policy. In a letter dated March 14, 1989, the UMTA Administrator wrote:

> Requests will also be considered for relaxation of the prohibition against seeking new start funds for investments in more than one local travel corridor at the same time, depending on the level of Federal assistance being sought.

The Committee has included bill language which prohibits the use of appropriated funds for furtherance and implementation of the NPRM dated April 25, 1989.

### NEW YORK METROPOLITAN TRANSPORTATION AUTHORITY SAFETY INVESTIGATION

Under section 22 of the Urban Mass Transportation Act (the UMT Act), 49 U.S.C. 1618, the Secretary has the authority to investigate conditions in any facility, equipment, or manner of operation financed under the UMT Act which the Secretary believes creates a serious hazard of death or injury. A section 22 investigation should determine both the nature and extent of the safety problems and the best means to remedy the unsafe conditions.

In April 1989, after a series of life-threatening incidents in New York City's mass transit system and inadequate corrective action, the Administrator of UMTA announced the initiation of an investigation of the New York City Transit Authority under section 22. The Administrator also announced his intention to expand the investigation to other operating units of the Metropolitan Transportation Authority as appropriate.

Since that time, there has been no substantive progress made in the section 22 investigation; yet life-threatening conditions remain uncorrected. In July, 2,600 New York subway riders were stranded in 100 degree heat during the rush hour because of an apparent electrical failure—without ventilation, lights, or a public address system to alert them. Last year, the MTA's inspector general issued a review that sharply criticized the MTA's existing safety program for not using preventive safety principles to identify, assess, and resolve safety hazards before they cause deaths or injuries. The Committee is disturbed that UMTA has failed to devote the resources necessary to conduct the safety investigation it had promised and has failed to demonstrate a concrete plan by which the resources will be allocated and expended for this investigation. UMTA's section 22 authority is meaningless if UMTA fails to devote the funds and personnel required to conduct safety investigations.

The Committee is concerned that UMTA has failed to adequately exercise and implement its section 22 authority, particularly as it relates to the investigation of the New York system that was ostensibly initiated in April 1989. Accordingly, the Committee directs the Secretary to submit a comprehensive plan, within 30 days after the date of enactment of this act, for conducting such an investigation, including the cost and scope of the investigation and an expeditious schedule for completion of such an investigation.

### PROJECT MANAGEMENT OVERSIGHT—SAFETY, FINANCIAL, AND PROCUREMENT COMPLIANCE REVIEWS

The Committee has proposed bill language which expands UMTA's authority to contract for project management oversight services to include reviews of safety, procurement, management, and financial compliance of grantees. Under current law, such reviews have focused narrowly on construction management, and broader reviews are needed to safeguard the Federal investment in transit.

### NIAGARA FRONTIER TRANSPORTATION AUTHORITY—1993 WORLD UNIVERSITY GAMES

The Committee commends the Niagara Frontier region for being designated as the host site for the 1993 world university games. This event is anticipated to draw more than 7,000 athletes as well as thousands of spectators from around the world. Such an event will require the cooperation of, and special consideration for, several transportation-related activities to ensure that the event proceeds without incident. The Committee expects that the Office of the Secretary, as well as the various modal agencies of the Department, will work in a cooperative manner with the Niagara Frontier Transportation Authority [NFTA] as well as other entities of the Niagara Frontier to move people to and within the Buffalo/Niagara Falls area by ensuring the adequacy of aviation facilities and services (including the need for landing slots, charter movements, and security). The Administrator of the Urban Mass Transportation Administration should give consideration to any requests from the NFTA to exceed the bus reserve fleet standard as well as to temporarily waive the provisions of sections 3(f) and 9(e)(1) of the Urban Mass Transportation Act, as amended.

### ALTERNATIVES ANALYSIS

Upon initiation of alternatives analysis for the Eastside/I-5 corridor by the Portland-Vancouver metropolitan area, UMTA is directed to approve Vancouver, WA, and Oregon City, OR, as the corridor termini. Further, the Committee instructs UMTA to permit the Portland-Vancouver metropolitan area to proceed with the alternatives analysis/draft environmental impact statement for the entire length of the corridor without prejudice to any other project in the urbanized area.

## RESEARCH, TRAINING, AND HUMAN RESOURCES

| | |
|---|---|
| Appropriations, 1989 | $10,000,000 |
| Budget estimate, 1990 | (1) |
| House allowance | 10,000,000 |
| Committee recommendation | 10,000,000 |

[1] Included under formula transit grants at $10,000,000.

The Research and training activity, authorized by the Urban Mass Transportation Act of 1964, as amended, provides for grants and contracts for the purpose of developing, testing, and demonstrating new facilities, equipment, techniques, and methods (operational and managerial). Also funded are grants to public bodies to provide for advanced training of personnel in the mass transportation field, grants to public and private, nonprofit institutions to assist in establishing or continuing programs which combine professional training and research in the field of mass transportation, and projects that address human resource needs as they apply to public transportation activities.

The bill includes $10,000,000 for these research and training activities, which is the same as the House amount and the budget request.

Funding under this appropriation account heading is authorized under the following sections of the Urban Mass Transportation Act of 1964, as amended: research and technical assistance, section 6; management training, section 10; university research, section 11; and human resources, section 20.

The following table summarizes the Committee recommendations, budget request, House allowance, and last year's level:

| Program | Fiscal year 1989 appropriation | Fiscal year 1990 budget estimate | House allowance | Committee recommendation |
|---|---|---|---|---|
| Research and technical assistance | $7,000,000 | $7,800,000 | $7,800,000 | $7,800,000 |
| Management training | 1,250,000 | 400,000 | 400,000 | 400,000 |
| University research | 750,000 | 600,000 | 600,000 | 600,000 |
| Human resources | 1,000,000 | 1,200,000 | 1,200,000 | 1,200,000 |
| Total | 10,000,000 | 10,000,000 | 10,000,000 | 10,000,000 |

The Committee concurs with the House's earmarking for certain projects under the section 6 research and technical assistance activity. These include $1,000,000 to continue the phosphoric acid fuel cell bus technology development and $650,000 for Project ACTION [Accessible Community Transportation In Our Nation]. In addition, the Committee directs that $75,000 be available for a 1-year demonstration project on the transportation difficulties faced by low income and elderly residents in rural areas of Vermont.

## FORMULA GRANTS

| | |
|---|---|
| Appropriations, 1989 | $1,605,000,000 |
| Budget estimate, 1990 | (1) |
| House allowance | 1,705,000,000 |
| Committee recommendation | 1,605,000,000 |

(1) Included under formula transit grants.

The Formula Grant Program is authorized by sections 9 and 18 of the Urban Mass Transportation Act of 1964, as amended by the Surface Transportation Assistance Act of 1982 and the Federal Mass Transportation Act of 1987. It provides grants on the basis of a formula to State and local agencies for mass transportation operating and capital expenses.

The budget proposed that this program be replaced with a Formula Transit Grants Program that would be funded from the "Mass transit" account of the Highway Trust Fund. Legislation necessary to implement the changes requested by the administration has not been enacted.

The Committee recommends $1,605,000,000 for continuation of the existing Formula Grant Program including $5,000,000 for the section 18(h) Rural Transit Assistance Program [RTAP]. This is $100,000,000 below the House allowance including the House's allowance of $5,000,000 to carry out the provisions of section 18(h). The Committee recommendation is the same as that provided in fiscal year 1989.

## SECTION 18—NONURBANIZED AREAS

The Committee has provided a total of $65,000,000 in fiscal year 1990 for nonurbanized, section 18, areas. This is accomplished by including bill language which sets aside $16,554,033 for the section 18 program before the apportionment of the balances of $1,653,445,967 in section 9 and 9(B) funds.

## TOTAL FORMULA DISTRIBUTION

The balance of $1,653,445,967 in section 9 and section 9(B) funding recommended by the Committee would be distributed using the formula distributions in current law, and would, therefore, be distributed as follows:

—Urbanized areas with a population of 200,000 or more: These areas would receive $1,462,142,269, or 88.43 percent of the total, and of this amount, two-thirds is apportioned using a bus-tier formula and one-third is apportioned using a rail-tier formula.

—Urbanized areas with populations of less than 200,000: These areas would receive $142,857,732, or 8.64 percent of the total.

—Nonurbanized areas: These areas would receive $48,445,967, or 2.93 percent of the total.

## OPERATING ASSISTANCE

The Committee has included bill language limiting operating subsidies to the level available during fiscal year 1989, $804,691,892. Existing law governing this activity is the Surface Transportation Assistance Act of 1982 as amended by the Federal Mass Transportation Act of 1987.

The Committee, however, recognizes that there is a difference between the authorized operating assistance caps for small- and medium-sized urban areas (those below 200,000 in population) and the amount available under the section 9 formula operating assistance limitation. Therefore, the Committee has included bill language which directs that, before the apportionment of sections 9, 9(B), and 18 funds, $8,800,000 is set aside to assure that no urbanized area of less than 200,000 population receives an allocation smaller than its operating assistance allowance for fiscal year 1989. This affects 128 small and medium sized urbanized areas whose fiscal year 1989 general fund apportionments were below their operating assistance caps.

## STATEWIDE OPERATING ASSISTANCE

The Committee has included bill language regarding the current method of determining operating assistance limitations by urbanized areas. Statewide agencies should be allowed to calculate the operating limitations and apportionments of its urbanized areas on a statewide basis. The total funding apportioned to a particular State would not increase or decrease, nor would the apportionment to any particular urbanized area. The included language would, however, allow a State greater flexibility in the use of its apportioned funds.

## FORMULA TRANSIT GRANTS

### (LIQUIDATION OF CONTRACT AUTHORIZATION)

### (HIGHWAY TRUST FUND)

| | |
|---|---|
| Appropriations, 1989 | |
| Budget estimate, 1990 | ($300,000,000) |
| House allowance | |
| Committee recommendation | |

The budget request for fiscal year 1990 funding under this account is predicated on the enactment of legislation which establishes a new Formula Transit Grants Program. Funds to liquidate the contractual obligations of the existing Discretionary Grant Program are shown with the appropriate account. The administration's budget request for liquidating cash for the Formula Transit Grants Program was $300,000,000 based on a $1,523,000,000 obligation ceiling for formula transit grants. This new authorizing legislation has not yet been submitted.

## DISCRETIONARY GRANTS

### (LIMITATION ON OBLIGATIONS)

### (HIGHWAY TRUST FUND)

| | |
|---|---|
| Appropriations, 1989 | ($1,140,000,000) |
| Budget estimate, 1990 | |
| House allowance | (1,140,000,000) |
| Committee recommendation | (1,140,000,000) |

The Surface Transportation Assistance Act of 1982 amended section 3 of the Urban Mass Transportation Act of 1964 (49 U.S.C. 1601 et seq.). It provided, that beginning in fiscal year 1984, funds for the section 3 discretionary program were derived exclusively from user fee revenue contained in the "Mass transit" account of the Highway Trust Fund. Additional amendments including reauthorization were included in the Federal Mass Transportation Act of 1987.

Section 3 of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601 et seq.), authorizes the Urban Mass Transportation Administration to make discretionary grants or loans to States and local public bodies and agencies thereof to be used in financing mass transportation investments. Such investments may include construction of new fixed guideway systems; extensions to existing guideway systems; major bus fleet expansions; capital grants for emergency repairs to transit facilities resulting from natural disasters; deployment of new technology; innovative transit demonstration projects; and technical planning assistance.

The Committee recommends an obligation limitation of $1,140,000,000. This is the same level recommended by the House. There was no budget request for this program. The budget proposed that this program be replaced with a Formula Transit Grants Program that would be funded from the "Mass transit" account of the Highway Trust Fund.

The following table summarizes the Committee recommendations:

| | 1989 enacted | House allowance | Committee recommendations |
|---|---|---|---|
| Bus and bus facilities | $144,000,000 | $132,500,000 | $140,000,000 |
| Existing rail modernization and extensions | 439,000,000 | 430,000,000 | 435,000,000 |
| New systems and new extensions | 402,000,000 | 422,500,000 | 410,000,000 |
| Planning | 45,000,000 | 45,000,000 | 45,000,000 |
| Elderly and handicapped | 35,000,000 | 35,000,000 | 35,000,000 |
| University transportation centers | 5,000,000 | 5,000,000 | 5,000,000 |
| Section 9B formula grants | 70,000,000 | 70,000,000 | 70,000,000 |
| Total | 1,140,000,000 | 1,140,000,000 | 1,140,000,000 |

### BUS AND BUS FACILITIES

The bill includes $140,000,000 under this heading for the purchase of buses, bus related equipment and paratransit vehicles and for the construction of bus-related facilities. These funds will assist in the replacement of many over-age buses in cities of all sizes, permit the expansion of bus service to accommodate community transit needs, help finance appropriate bus maintenance facility modernization or construction, assist in bus rehabilitation, and assist in the purchase of support equipment.

Reductions in section 9 funding in recent years have made it more difficult for some transit systems to maintain a fleet with a reasonable average age of buses through timely replacement. Although the Surface Transportation Act of 1987 allows the use of section 3 bus and bus facility funds for replacement, current UMTA practice is to limit these funds for expansion of systems. The Committee directs that UMTA follow the authorizing legislation that allows for the replacement and rehabilitation of buses.

The Committee directs that in the allocation of section 3 bus funds that UMTA provide $2,500,000 to the city of Madison, WI, for the construction of bus transfer facilities to permit Madison Metro to restructure its route system. In addition, the Committee finds that the proposed transfer of a bus maintenance facility currently operated by the Lane Transit District in Eugene, OR, to the Eugene School District (4J) is consistent with applicable regulations. The facility which is functionally obsolete for the transit district will be vacated in the near future when a new facility, financed from section 3 funds is completed. Due to the unique circumstances of this situation, the Committee feels a waiver of payback of the Federal share because of the public purpose for which the facility would be used. UMTA is, therefore, directed to allow Lane Transit District to transfer the Federal interest in this property to Eugene School District.

The Committee has previously provided funding for the Cold Spring facility of the Niagara Frontier Transportation Authority as well as funding to acquire buses to modernize the current fleet. The Committee directs that $10,000,000 be made available to the NFTA to complete the financing of the Cold Spring facility and to acquire up to 50 buses, some of which may be procured under the alternative fuels initiative of the Secretary.

### EXISTING RAIL MODERNIZATION AND EXTENSIONS

The Committee recommends a total of $435,000,000 for the modernization and extension of existing rail transit systems. The administration's budget request would have distributed funds for rail modernization through a formula.

Funding for this program primarily benefits the existing rail transit systems of New York, Chicago, Philadelphia, northeast New Jersey, Boston, San Francisco, Pittsburgh, and Cleveland. Other cities with rail systems can and have participated in the program.

The Committee concurs with the House earmark of $8,200,000 in rail modernization funds so that the State of Maryland can expand its commuter rail services. These funds are to be used to purchase additional equipment for the commuter rail lines between the Baltimore and Washington regions and between Brunswick, MD, and Washington.

### NEW SYSTEMS

The Committee suggests the allocations below, as compared to House earmarks, for preliminary engineering, right-of-way acquisition, new systems construction, and extensions.

The following table summarizes the Committee recommendations compared to the House allowance:

| City and project | House allowance | Committee recommendation |
|---|---|---|
| Los Angeles (rail construction) | $140,000,000 | $140,000,000 |
| Atlanta (rail construction) | 52,500,000 | 55,000,000 |
| St. Louis (light rail construction) | 70,000,000 | 65,000,000 |
| San Francisco (rail construction) | 30,000,000 | 25,000,000 |
| San Francisco (P.E.) | 2,000,000 | |
| Houston (P.E./construction) | 60,000,000 | 70,000,000 |
| Denver (HOV) | 16,000,000 | 16,000,000 |
| Portland (ROW) | 8,000,000 | 8,000,000 |
| Baltimore (light rail construction) | 6,000,000 | 10,000,000 |
| Jacksonville (auto. guideway) | 20,000,000 | 10,000,000 |
| Cleveland | 2,375,000 | 2,000,000 |
| Newark (P.E.) | | 5,000,000 |
| Chicago (AA) | 625,000 | 2,000,000 |
| Miami (rail construction) | 15,000,000 | |
| Salt Lake (light rail) | | 2,000,000 |
| Total | 422,500,000 | 410,000,000 |

### PROJECT DESCRIPTIONS

*Los Angeles.*—The Committee recommends $140,000,000 for the Metro Rail minimum operable segment–2 [MOS–2]. This is in addition to the $188,760,000 provided for this segment in previous appropriations acts, and remains unobligated. This project will extend the heavy rail system to serve part of the Wilshire Boulevard corridor and Hollywood. The locally preferred alternative is an all-subway extension with 8 to 10 stations and 2 branches; a short line along Wilshire to Western Avenue and a northern branch to Hollywood. In Public Law 100–17, Congress authorized a section 3 share of $667,000,000 for this segment. Total costs are estimated to be $2,120,000,000 with a local match of 69 percent.

*Atlanta.*—The Committee is recommending $55,000,000 for an extension of the north line. The Metropolitan Area Rapid Transit Authority's requested funding would be for a 3.1-mile extension of the planned north line of its heavy rail line system from medical center to North Springs. A portion of this line south of the medical center is being planned without UMTA involvement. Total costs are estimated to be $350,000,000 with a local match of 25 percent.

*St. Louis.*—The Committee is recommending $65,000,000 for metro link, an 18 mile, 20 station double-track light rail line, from East St. Louis through the St. Louis central business district to the airport. To date, $152,000,000 has been provided this project through previous appropriations. All of the previously appropriated funds have been obligated. The total costs for the project are estimated to be $384,000,000 with a local match of 25 percent that is generated from locally donated assets, the Eads Bridge, a tunnel, and existing railroad right-of-way.

The Committee directs UMTA to amend the St. Louis full funding grant agreement [FFGA] to accommodate the impacts of the recently announced plans to construct new runways at the St. Louis Lambert International Airport. The Committee notes that section 26 of the FFGA acknowledges the uncertain status of the airport connection. In calling for the appropriate amendment, the Committee believes that relevant mainline and airport connection cost and schedule impacts should be accepted by UMTA to affect this intermodal link without penalty to the project, the grantee, and without prejudicing candidate runway plans that are under study. The Committee understands that under the original proposal, the construction work on the airport connection was one of the first segments scheduled due to the complexity of the work associated with this connector.

Further, the Committee directs that, notwithstanding the UMTA proposed rulemaking that would affect advancement of the proposed extension of the metro link system from systems analysis to alternatives analysis on a line to Belleville, IL, $450,000 of the funds earmarked for the project in fiscal year 1990 may be used for the purpose of conducting an alternatives analysis study in a corridor between downtown St. Louis and Belleville, IL.

*San Francisco (rail).*—The Committee is recommending a total of $25,000,000 for a 6-mile extension of the Bay Area Rapid Transit [BART] from Colma to the San Francisco Airport, including the cost of relocating a Caltrain terminal. No Federal funding has previously been provided for this project. The funding recommended will allow the project to obligate approximately $5,000,000 for final design and $20,000,000 for initial construction. Financing of this project is part of a four-county agreement to finance several BART and other fixed guideway extensions in the San Francisco Bay area, with the local share of costs estimated at approximately 63 percent. Although the area is expecting Federal funds for 75 percent of this particular project, the Federal share of the entire rail construction program is estimated at 27 percent.

*San Francisco (preliminary engineering).*—The committee has not provided any funding for preliminary engineering work on the Tasman Corridor extension to the Guadalupe light rail system in Santa Clara County. Until a decision is made regarding UMTA's one corridor per metropolitan planning area policy, the Committee has deferred a decision, without prejudice to the merits of the project.

*Houston.*—The Committee has recommended $70,000,000 in addition to the $50,000,000 provided in fiscal year 1988 for a proposed 15-mile automated guideway connector linking existing and proposed busways that serve the central business district, Greenway Plaza, and Post Oak activity centers. After completion of the environmental impact statement, vendors of such systems, including automated light rail and monorail will bid on the system with the lowest responsive bid winning. Total costs are preliminarily estimated at $1,000,000,000 with the Federal share at 54 percent.

*Denver.*—The Committee recommends $16,000,000 for the locally preferred 6.6-mile two-lane reversible bus/HOV facility in the median of Interstate I-25, north of Denver. The project also includes a connection to the central business district via a new 20th Street viaduct. Past Federal funding for this project equals $36,500,000 and total costs are expected to be $200,000,000 with a local share of 33 percent.

*Portland.*—The Committee has provided $8,000,000 for Project Break-even. This is in addition to the $6,000,000 provided in fiscal year 1989. The project would fund a joint development effort which includes the purchase of land, site development, and other development contiguous to and/or on either side of an existing rail line. The Committee notes that there is in place, as required by the fiscal year 1989 conference report on the transportation bill, a local comprehensive plan covering the project's development and related costs.

The Committee directs that the scope of the Westside project be expanded to include Hillsboro, OR. This is necessary so that local funds can be used for preliminary engineering and right-of-way acquisition west of 185th Street. In addition, with the expanded definition of the project, the Committee directs that section 9 funds be eligible to pay for the necessary environmental impact statement.

*Baltimore.*—The Committee has provided $10,000,000 for the central corridor light rail transit project. In fiscal year 1989 this project received an earmark of $6,000,000 which was to be used for the early order of light rail vehicles for the project. A 222-mile main line is being built with 100-percent State and local funds. These funds are for the extension and two spurs to the main line. The local share for these segments is expected to be 25 percent.

*Jacksonville.*—The Committee has provided $10,000,000 for an extension to the 0.7-mile Automated Skyway Express starter line which opened June 5, 1989; $7,000,000 was provided for this extension in fiscal year 1989. Original plans called for a 1.8-mile extension, but local authorities are now considering a shorter 0.6-mile north leg. The longer extension was estimated to cost $98,100,000 in Federal funds (75 percent of the total costs). The shorter extension is expected to cost $32,600,000 in Federal funds.

*Cleveland.*—The Committee has provided $2,000,000 for the dual hub corridor, which connects the commercial business district with University Circle. Cleveland has proposed a 50-percent local share with 20 percent of the project's total costs being borne by the private sector. Total project costs are estimated to be approximately $550,000,000. These funds are for preliminary engineering studies.

*Newark.*—The Committee has provided an additional $5,000,000 for the Newark Airport rail link project. This is in addition to the $2,000,000 provided in fiscal year 1989. This project will connect the cities of Elizabeth and Newark to the Newark International Airport.

*Chicago.*—The Committee has provided $2,000,000 for the Central Area Circulator which is to serve the new growth areas of the central business district that are not served by existing commuter and heavy rail stations. These funds would be used for further work on alternatives analysis and preliminary work on a draft environmental impact statement.

*Salt Lake City.*—The Committee has provided an additional $2,000,000 for further engineering and design work on the Interstate 15/State Street corridor. These funds are in addition to the $8,600,000 previously provided for preliminary engineering and right-of-way acquisition. The Committee understands that the draft environmental impact statement on this project has been completed and is being readied for publication and public review. This process is expected to lead to a selection of the preferred alternative within a few months. Upon this determination, the Committee expects UMTA to expeditiously release previously appropriated preliminary engineering funds to facilitate project definition, design, and cost refinement. In preliminary discussions with UMTA officials the Wasatch Front Regional Council and the Utah Transit Authority discussed a possible 40-percent local share for this project.

*City of Chattanooga.*—The Committee is aware that the city of Chattanooga is preparing a request to the Urban Mass Transportation Administration [UMTA] for fiscal year 1990 planning funds. The money will be used for the initial planning of the revitalized downtown transportation system, which could include use of vintage trolleys. The Committee encourages UMTA to act favorably upon this request from the city of Chattanooga and to work closely with city officials to expedite the planning, engineering, and construction of this proposed system. The Committee applauds the city for its proposed overmatch of funding for the entire project.

### PLANNING AND TECHNICAL STUDIES

The Committee recommends that $45,000,000 be appropriated for planning and technical studies. The major activities funded under this heading include short range transportation system management and transportation improvement programs, alternatives analysis studies, and energy conservation and contingency planning. The amount provided is the same as that provided by the House.

### ELDERLY AND HANDICAPPED

The Committee recommends a total of $35,000,000 for the elderly and handicapped program, section 16(b)(2). This is the same level provided by the House and requested by the administration.

### UNIVERSITY TRANSPORTATION CENTERS

The Surface Transportation and Uniform Relocation Assistance Act of 1987, Public Law 100-17, established the University Transportation Centers Program funded from the transit trust fund. Under section 314 of the act, the Secretary is to make grants to one or more nonprofit institutions of higher learning to establish and operate one regional transportation center in each of the 10 Federal regions. The Committee has provided $5,000,000 for this program, which is the same amount provided in fiscal year 1989, and the same amount provided by the House.

### SECTION 9 (B) FORMULA GRANTS

The Committee has included $70,000,000 for the section 9(B) Capital Grants Formula Program. The Committee has provided, through the obligation limitation, a total of $1,140,000,000 for sections 3, 4(i), 8, 16(b), and 9(B) from the "Mass transit" account of the highway trust fund. Of this amount $140,000,000 is for the sections 3 and 9(B) program, of which one-half by authorizing statute is for the 9(B) capital grants program.

## MASS TRANSIT CAPITAL FUND

## (LIQUIDATION OF CONTRACT AUTHORIZATION)

## (HIGHWAY TRUST FUND)

| | |
|---|---|
| Appropriations, 1989 | ($400,000,000) |
| Budget estimate, 1990 | (900,000,000) |
| House allowance | (900,000,000) |
| Committee recommendation | (900,000,000) |

The bill includes $900,000,000 to liquidate obligations incurred under contract authority provided in sections 12(h) and 21 (a)(2) and (b) of the Urban Mass Transportation Act of 1964, as amended by the Surface Transportation Assistance Act of 1982 and the Federal Mass Transportation Act of 1987 (48 U.S.C. 1601 et seq.).

## INTERSTATE TRANSFER GRANTS—TRANSIT

| | |
|---|---|
| Appropriations, 1989 | $200,000,000 |
| Budget estimate, 1990 | |
| House allowance | 180,000,000 |
| Committee recommendation | 160,000,000 |

Grants under this activity are authorized by the Federal-Aid Highway Act of 1973 and amended by subsequent amendments to the Federal-Aid Highway Act and the Surface Transportation Assistance Acts of 1978 and 1982. Under current law, 50 percent of the interstate transfer transit funds are to be distributed on a formula basis. No funds were requested for this program in the 1990 budget. Under the administration's proposal, this program would be funded from the Highway Trust Fund.

The bill includes $160,000,000 for transit projects which have been substituted for interstate highway segments. This is $20,000,000 below the House allowance.

The Committee directs the following discretionary allocations.

| Area | Formula | Discretionary | Total |
|---|---|---|---|
| Sacramento, CA | $35,720 | | $35,720 |
| San Francisco, CA | 3,805,111 | | 3,805,111 |
| Killingly, CT | 78,092 | | 78,092 |
| Hartford-New Britain, CT | 410,759 | | 410,759 |
| Washington, DC | 17,800 | | 17,800 |
| Chicago, IL | 11,208,022 | $45,839,474 | 57,047,496 |
| Waterloo, IA | 252,994 | | 252,994 |
| Baltimore, MD | 22,239,474 | 32,760,526 | 55,000,000 |
| Boston, MA | 1,643,803 | | 1,643,000 |
| Duluth-Superior, MN | 11,226 | | 11,226 |
| New Jersey | 531,357 | | 531,357 |
| New York | 32,870,559 | | 32,870,559 |
| Cleveland, OH | 1,943,820 | | 1,943,820 |
| Portland, OR | 353,658 | 1,000,000 | 1,353,658 |
| Rhode Island | 2,096,528 | | 2,096,528 |
| Memphis, TN | 2,101,078 | | 2,101,078 |
| Construction management | 400,000 | 400,000 | 800,000 |
| Total | 80,000,000 | 80,000,000 | 160,000,000 |

## WASHINGTON METRO

| | |
|---|---|
| Appropriations, 1989 | $168,000,000 |
| Budget estimate, 1990 | 42,000,000 |
| House allowance | 100,000,000 |
| Committee recommendation | 73,400,000 |

Public Law 96-184 (Stark-Harris legislation) enacted January 3, 1980, authorizes a total of $1,700,000,000 for construction on the Washington Metrorail System. Through fiscal year 1989, $1,506,859,000 has been appropriated under the Stark-Harris authorization, leaving an unfunded balance of $193,141,000.

The Committee recommends $73,400,000 be appropriated for the Washington, DC, Metrorail System from this account. This amount is $31,400,000 more than the budget request and $26,600,000 below the amount recommended by the House.

In addition to these construction funds the Washington Metro System receives an additional $51,633,569 for the Federal share of interest payments on outstanding bonds. These funds are contained in a separate appropriation.

The Committee has provided funding of $42,200,000 for project management and startup costs expected to be incurred in fiscal year 1990. In addition, $31,200,000 is provided for 32 additional railcars beyond the new 68-car approval. The Committee has not approved the WMATA request of $22,500,000 to meet construction costs that may arise through contractor claims and project change orders. Also, the Committee did not fund project management and startup costs associated with fiscal years 1991, 1992, and 1993 as requested by the transit authority.

## ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The St. Lawrence Seaway Development Corporation is a wholly owned Government corporation established by the act of May 13, 1954, responsible for the operation, maintenance, and development of the United States portion of the seaway between Montreal and Lake Erie.

Since April 1, 1987, toll revenues have been deposited in the Harbor Maintenance Trust Fund and operation and maintenance of the portion of the seaway for which the Corporation is responsible have been financed by an appropriation from the fund. On the basis of traffic projections agreed to by the United States and Canadian seaway agencies, it is estimated that revenues from tolls in fiscal year 1990 will be $9,800,000.

### OPERATIONS AND MAINTENANCE

### (HARBOR MAINTENANCE TRUST FUND)

| | |
|---|---|
| Appropriations, 1989 | $11,100,000 |
| Budget estimate, 1990 | 11,788,000 |
| House allowance | 11,750,000 |
| Committee recommendation | 11,100,000 |

The Corporation's operations program provides for operation of all facilities, for maintenance—including major items which are deferred to the nonnavigation season, for planning and development activities, and for undertaking various capital improvements to upgrade and modernize its facilities.

Prior to 1987 the Corporation's activities were funded by tolls on vessels transiting the seaway locks maintained by the Corporation and its Canadian counterpart. As of April 1, 1987, the Corporation's toll revenues are deposited in the Harbor Maintenance Trust Fund established by Public Law 99-662. In lieu of the toll revenues, appropriations are made from the fund as the primary source of financing for the operations and maintenance activities of the Corporation. In addition, the Congress authorizes the Corporation to make expenditures from available funds and borrowing authority, and to enter into contracts without regard to fiscal year limitations as are necessary to carry out the programs set forth in its budget.

For fiscal year 1990 the Committee recommends an appropriation of $11,100,000, the same as provided in fiscal year 1989. This is $688,000 below the budget and $650,000 below the House. The reduction in funding is because of expected management efficiencies.

The Committee understands that the Seaway plans to provide oilspill cleanup readiness on the St. Lawrence River. Their antipollution efforts would be directed out of an unused, former Coast Guard station at Cape Vincent. The Seaway already has produced an emergency response plan which would enable it, within minutes of learning of a spill, to deploy equipment and personnel to begin containment and cleanup in the critical early moments after a spill. The Coast Guard then would take over command of a spill from the Seaway as early as possible.

Therefore, the Committee directs the General Services Administration to transfer title to the land and facilities of the former

Coast Guard station at Cape Vincent, NY, to the Saint Lawrence Seaway Development Corporation in the Department of Transportation, at no cost to the Corporation.

## RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

### RESEARCH AND SPECIAL PROGRAMS

| | |
|---|---|
| Appropriations, 1989 | $14,800,000 |
| Budget estimate, 1990 | 17,541,000 |
| House allowance | 16,800,000 |
| Committee recommendation | 14,715,000 |

The Research and Special Programs Administration [RSPA] was established by the Secretary of Transportation's organizational changes dated July 20, 1977, and serves as a research, analytical, and technical development arm of the Department for multimodal research and development, as well as special programs. Particular emphasis is given to transportation of hazardous cargo by all modes of transportation. Responsibilities of the administration are carried out under the following activities:

*Operations.*—This activity provides for central supervisory and management functions, including a management information system necessary for overall planning and direction of the administration. This activity also provides for management and execution of transportation programs involving aviation data management, national emergency plans/ preparedness, technology and planning assistance, and management of the Transportation Safety Institute and the Transportation Systems Center. It also provides for hazardous materials regulatory and enforcement programs.

The Committee has received information documenting the important contributions that RSPA's Division of Federal, State, and Private Sector Initiatives is making to hazardous materials transportation safety, especially its efforts to work with COMED, the Cooperative Hazardous Materials Enforcement Development Program. The Committee directs RSPA's financial support and involvement in COMED to continue and urges RSPA to continue its efforts to provide the widest possible distribution of information, research results, and studies resulting from these efforts.

The Committee is impressed by the substantial improvements that RSPA has made in its hazardous materials transportation enforcement program. During calendar year 1987 RSPA collected civil penalties for violations of the hazardous materials transportation regulations totalling $125,000 and for calendar year 1988 this sum was $390,000. Productivity is high, the typical penalty is generally meaningful, and RSPA enforcement is consistent.

The enforcement task before RSPA is indeed formidable. RSPA presented evidence to the Committee that in some 40 to 60 percent of the planned, nonrandom reviews it conducts noncompliance is found. Consequently, the Committee supports RSPA's efforts to adequately staff compliance efforts.

The Committee supports House language directing the submission of a report on the feasibility of establishing RSPA regional offices for its hazardous materials transportation enforcement program. The Committee directs that this report be submitted no later than 1 month after enactment of this bill.

The Committee allowance includes an increase of $55,000 for the Aviation Information Management Program to restore one FTE related to essential air services program, which was proposed for elimination in the administration's budget.

It also transfers $2,814,000 and 22 FTE's for this program from RSPA to FAA, thereby focusing RSPA responsibilities on emergency transportation and hazardous materials, and pipeline safety.

The Committee allowance also includes a reduction of $67,000 for additional personnel requested for OHMT, from four FTE to two FTE, on the basis that the four provided for in 1989 have yet to be filled. The Committee will add additional funding and positions when RSPA shows it can hire them.

In 1989, the Committee provided $160,000 for the initiation of a limited registration program for hazardous materials shippers. (Page 305 of Senate hearings.) The funds were used instead for providing additional copies of the Emergency Response Guidebook [ERG] to emergency response agencies. This situation should not have occurred without reprogramming and the Committee directs that it not happen again.

*Research and development.*—This activity provides for research to support hazardous materials regulation and to complement research programs of other operating administrations.

The Committee recommends that $1,645,000 be appropriated for research and development. This is the same as the budget request and the House allowance.

The recommendation compared to the House allowance and budget request is summarized below:

| | Budget request | House allowance | Committee recommendations |
|---|---|---|---|
| Operations: | | | |
| Administrator | $337,000 | $330,000 | $337,000 |
| (Positions) | (4) | (4) | (4) |
| Chief Counsel | $521,000 | $520,000 | $521,000 |
| (Positions) | (9) | (9) | (9) |
| Program management and administration | $1,115,000 | $1,105,000 | $1,115,000 |
| (Positions) | (14) | (14) | (14) |
| Aviation information management | $2,759,000 | $2,550,000 | [1] ($2,814,000) |
| (Positions) | (21) | (21) | (22) |
| Emergency transportation | $904,000 | $900,000 | $904,000 |
| (Positions) | (10) | (10) | (10) |
| Hazardous materials | $9,566,000 | $9,400,000 | $9,499,000 |
| (Positions) | (97) | (97) | (95) |
| Research and technology | $694,000 | $680,000 | $694,000 |
| (Positions) | (7) | (7) | (7) |
| (Transportation systems center positions) | (518) | (518) | (518) |
| Subtotal | $15,896,000 | $15,485,000 | $13,070,000 |
| Research and development: | | | |
| Hazardous materials | $1,115,000 | $1,115,000 | $1,115,000 |
| Emergency transportation | $230,000 | $230,000 | $230,000 |
| Research and technology | $300,000 | $300,000 | $300,000 |
| Subtotal | $1,645,000 | $1,645,000 | $1,645,000 |
| SLUC adjustment | | −$330,000 | |
| Total | $17,541,000 | $16,800,000 | $14,715,000 |

| | Budget request | House allowance | Committee recommendations |
|---|---|---|---|
| Positions | (680) | (680) | (657) |

---

[1] Committee recommendation restores one FTE and adds $55,000 for AIM (EAS), and transfers total to FAA.

## PIPELINE SAFETY

### (PIPELINE SAFETY FUND)

| | |
|---|---|
| Appropriations, 1989 | $9,300,000 |
| Budget estimate, 1990 | 9,848,000 |
| House allowance | 10,325,000 |
| Committee recommendation | 9,277,000 |

The Research and Special programs Administration is also responsible for the Department's Pipeline Safety Program. This activity was funded as a separate account for the first time in fiscal year 1988 and is entirely financed by user fees assessed to the pipeline operators.

Included under this account is the operations activity providing for the salaries and expenses and the supervisory and management functions for pipeline safety regulatory and enforcement programs. Also included is research and development to support the Pipeline Safety Program and grants-in-aid to State agencies that conduct a Pipeline Safety Program.

The Committee's recommendation for the Pipeline Safety Program is $9,277,000. It is $571,000 less than the budget request and $1,048,000 less than the House allowance. The amount recommended is to be allocated as follows:

| | Budget | Recommendation |
|---|---|---|
| Personnel compensation and benefits | $2,327,000 | $2,230,000 |
| (Positions) | (51) | (57) |
| Administrative costs | $1,070,000 | $920,000 |
| Program funds | $1,226,000 | $1,000,000 |
| Research and development | $725,000 | $750,000 |
| State grants | $4,500,000 | $4,500,000 |
| SLUC adjustment | | −$123,000 |
| Total | $9,848,000 | $9,277,000 |

The Committee directs that RSPA report to the Committee on the results of initiating a 2½ year pipeline inspection cycle (to be completed by December, 1989), with the submission of the 1991 Budget (due in February 1990).

The Committee allowance includes a reduction of $123,000 from rental payments to GSA. Otherwise, the allowance represents essentially a freeze at 1989 funding levels.

## OFFICE OF THE INSPECTOR GENERAL

### SALARIES AND EXPENSES

| | |
|---|---|
| Appropriations, 1989 | $29,000,000 |
| Budget estimate, 1990 | 32,475,000 |
| House allowance | 32,100,000 |
| Committee recommendation | 32,100,000 |

The Office of Inspector General [OIG] was created by the Inspector General Act of 1978 (Public Law 95-452). It is intended to be an independent and objective organization with the explicit mission of: (1) Promoting organizational efficiency and effectiveness; (2) preventing and detecting fraud and abuse; and (3) providing a means of keeping the Secretary of Transportation and Congress fully and currently informed of problems and deficiencies in the administration of departmental programs and operations.

The headquarters audit operation is composed of program offices which correspond to the transportation modes and the ADP and Technical Support Office. Field offices are located in Baltimore and 7 of 10 standard Federal regions. There are also five regional investigative offices which are responsible for all investigations within their designated areas. Necessary audits of the Essential Air Service [EAS] Program are also conducted.

The Committee recognizes the value and importance of the Office of the Inspector General having the ability and resources necessary to contract with the Defense Contract Audit Agency [DCAA] for contract audit support. The Committee, therefore, directs the Secretary to reimburse the Inspector General from the operating budgets of those modal operating administrations for which the Inspector General contracted with DCAA for audit support.

The Committee directs that the inspector general make a thorough review of the essential air service program, including the management and negotiation of contracts under this program. The Committee believes that it is essential to pursue low-cost options where available in the management of the program. Given the budget constraints that this and other transportation programs face, it is necessary that programs are managed as effectively as possible.

The Committee recommends $32,100,000 which is the same as the House allowance, $3,100,000 less than the House amount, and $375,000 less than the budget request.

# TITLE II—RELATED AGENCIES

## ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

### SALARIES AND EXPENSES

| | |
|---|---|
| Appropriations, 1989 | $1,891,000 |
| Budget estimate, 1990 | 2,000,000 |
| House allowance | 1,950,000 |
| Committee recommendation | 1,950,000 |

The Architectural and Transportation Barriers Compliance Board was established by section 502 of the Rehabilitation Act of 1973 to ensure compliance with the Architectural Barriers Act of 1968. Its primary role is to implement a Compliance Program to ensure accessibility and usability of most Federal and federally funded buildings by all persons. The Board's functions include: (1) ensure that public conveyances, including rolling stock, are readily accessible to, and usable by, physically handicapped persons; (2) investigate and examine alternative approaches to eliminate architectural, transportation, communication, and attitudinal barriers; (3) make recommendations and prepare policy reports to the President and Congress on measures to eliminate such barriers; (4) provide technical assistance to all programs affected by title V of the Rehabilitation Act with respect to overcoming architectural, transportation, and communication barriers; (5) establish minimum guidelines and requirements for the standards issued under the Architectural Barriers Act, as amended. The 22-member Board is composed of 11 public members appointed by the President and 11 Federal agency heads.

The bill includes $1,950,000 for the Board, which is the same as the House allowance and $50,000 less than the budget. The Committee allowance provides for a continuation of the fiscal year 1989 funding level for the Board, adjusted for inflation.

## NATIONAL TRANSPORTATION SAFETY BOARD

### SALARIES AND EXPENSES

| | |
|---|---|
| Appropriations, 1989 | $25,360,000 |
| Budget estimate, 1990 | 25,967,000 |
| House allowance | 26,600,000 |
| Committee recommendation | 28,000,000 |

The Independent Safety Board Act of 1974 established the National Transportation Safety Board as an independent Federal agency to promote transportation safety by conducting independent accident investigations. In addition, the Act authorizes the Board to make safety recommendations, conduct safety studies, and oversee safety activities of other Government agencies involved in transportation. The Board also reviews appeals of adverse actions by the Department of Transportation with respect to airmen and seamen certificates and licenses.

The Board has no regulatory authority over the transportation industry. Thus, its effectiveness depends on its reputation for impartial and accurate accident reports, realistic and feasible safety recommendations, and on public confidence in its commitment to improving transportation safety.

The Committee has provided funding above that requested by the administration in recognition of the valuable recommendations an independent safety board can make, which help make the various modes of transportation safer. The Committee is concerned, however, that at the staffing levels proposed by the administration, the ability of the NTSB to conduct necessary investigations will be greatly compromised.

Staffing in a number of disciplines appears inadequate for the task at hand, and the Committee directs that with the additional funds the NTSB fill aviation technical positions covering airworthiness, avionics, cockpit voice recorder, powerplants, and structures. Also, the Committee directs that the NTSB provide the additional staff necessary for field office investigations in the aviation and human performance areas.

The Committee recommends $28,000,000 for the National Transportation Safety Board, which is $2,033,000 more than the budget request and $1,400,000 above the House allowance. The increase over the budget rejects the administration proposal to reduce staffing by 11 work-years from current levels, and provides funding for 347 personnel which is 23 above that authorized for fiscal year 1989.

## INTERSTATE COMMERCE COMMISSION

### SALARIES AND EXPENSES

| | |
|---|---|
| Appropriations, 1989 | $43,115,000 |
| Budget estimate, 1990 | 44,689,000 |
| House allowance | 43,860,000 |
| Committee recommendation | 42,863,000 |

The Interstate Commerce Commission [ICC] is an independent agency created by Congress to regulate interstate transportation in order to ensure that the public has an adequate, efficient transportation system. In the motor carrier area, the ICC regulates rates, grants operating authority, regulates mergers and acquisitions, and develops policy associated with the Interstate Commerce Act, as amended by the Motor Carrier Act of 1980, the Household Goods Transportation Act of 1980, the Bus Regulatory Reform Act of 1982, and the Surface Freight Forwarder Deregulation Act of 1986. In the rail area, the ICC's authority encompasses the regulation of rates, mergers, acquisitions, construction, and abandonment of railway lines, and policy development associated with the Interstate Commerce Act, as amended by the Staggers Rail Act of 1980.

The bill includes an appropriation of $42,863,000 for the salaries and expenses of the Interstate Commerce Commission, which is

$997,000 less than the House allowance and $1,826,000 less than the budget request.

| Office | Fiscal year 1990 budget request | House allowance | Committee recommendations |
|---|---|---|---|
| Chairman | $613,000 | $613,000 | $515,000 |
| Staff-years | (7) | (7) | (7) |
| Commissioners | $2,009,000 | $1,957,000 | $1,760,000 |
| Staff-years | (24) | (24) | (24) |
| Satellite offices | $1,002,000 | $970,000 | $970,000 |
| Staff-years | (15) | (15) | (15) |
| Secretary | $3,495,000 | $3,410,000 | $3,355,000 |
| Staff-years | (82) | (82) | (82) |
| General Counsel | $1,937,000 | $1,900,000 | $1,828,000 |
| Staff-years | (25) | (25) | (25) |
| Proceedings | $7,520,000 | $7,405,000 | $7,355,000 |
| Staff-years | (111) | (111) | (111) |
| Hearings | $409,000 | $400,000 | $387,000 |
| Staff-years | (5) | (5) | (5) |
| Public assistance | $1,102,000 | $1,085,000 | $1,062,000 |
| Staff-years | (14) | (14) | (14) |
| Transportation Analysis | $2,347,000 | $2,315,000 | $2,247,000 |
| Staff-years | (27) | (27) | (27) |
| Accounts | $4,597,000 | $4,520,000 | $4,380,000 |
| Staff-years | (61) | (61) | (61) |
| Traffic | $2,972,000 | $2,935,000 | $2,884,000 |
| Staff-years | (59) | (59) | (59) |
| Compliance and Consumer Assistance | $12,300,000 | $12,075,000 | $11,896,000 |
| Staff-years | (197) | (197) | (197) |
| Managing Director | $4,368,000 | $4,275,000 | $4,224,000 |
| Staff-years | (74) | (74) | (74) |
| Total | $44,689,000 | $43,860,000 | $42,863,000 |
| Staff-years | (701) | (701) | (701) |

The Committee directs, as it has in previous reports, that the Commission use normal reprogramming procedures should it propose to deviate in any way from the staff-year allocations or by more than 4 percent from the funding allocations listed above.

The Committee is concerned that the ICC has tended to adopt narrow interpretations of such statutes as the 1983 Rail Banking Act, and has also been slow to undertake rulemaking to implement Public Law 100–470 regarding the recapture of the Federal interest in federally granted rights-of-way. If additional resources are required for the ICC to deal with the increase in abandonments, the report should so state. ICC should consider and adopt new policies and procedures to foster the preservation of rail corridors for future transportation and alternative uses.

The Committee is interested in protecting existing rail corridors, especially those abandoned (or at risk) ones which may be lost to alternative uses. The Commission is directed to develop a report to the Committee on the conversion of rail corridors to trails, including suggestions as to how those conversions could be accelerated. Also, the report should include an analysis of 1989 and 1990 resources (funding and staffing) to be devoted to those efforts. Finally, the report should include a Commission policy statement concerning rail to trail conversions, which should be available for public review and comment, and a summary of the public comments which are received. This report should be transmitted to the Committee by April 1, 1990.

The Committee has included bill language which specifies that a lease agreement between the Union Pacific Railroad Co. and School District No. 25 in Bannock County, ID, shall not be deemed an abandonment of that property by Union Pacific.

### PAYMENTS FOR DIRECTED RAIL SERVICE

#### (LIMITATION ON OBLIGATIONS)

| | |
|---|---|
| Appropriations, 1989 | ($475,000) |
| Budget estimate, 1990 | (475,000) |
| House allowance | (475,000) |
| Committee recommendation | (475,000) |

Under the provisions of 49 U.S.C. 11125, when a rail carrier is in such financial trouble that it becomes impossible to continue its operations, the Commission is empowered to direct and pay another carrier to move that carrier's traffic for a period of up to 60 days, which can be extended for an additional 180 days if cause exists. In certain cases, the Commission's use of this authority has not resulted in any cost to the Federal Government. However, there have been several instances where the use of this authority has resulted in a liability for payment to an operating carrier by the Federal Government.

The Committee provides an obligation limitation of $475,000 for fiscal year 1990, even though no additional directed rail service is anticipated. In the event that such authority needs to be exercised by the Commission, proper and timely notification to Congress is required. The limitation is the same as the House allowance.

## PANAMA CANAL COMMISSION

The Panama Canal Commission is an agency of the executive branch of the U.S. Government established by the Panama Canal Act of 1979 (93 Stat. 452; 22 U.S.C. 3601 et seq.), to carry out the responsibilities of the United States under the Panama Canal Treaty of 1977. The authority of the President of the United States with respect to the Commission is exercised through the Secretary of Defense and the Secretary of the Army. The Commission is supervised by a nine-member Board; five members are nationals of the United States and four are Panamanians. Board members who are U.S. nationals are appointed with the advice and consent of the Senate.

Under the terms of the treaty, the Commission manages, operates, and maintains the Canal, its complementary works, installations, and equipment, and provides for the orderly transit of vessels through the Canal. The Commission will perform these functions until the treaty terminates on December 31, 1999, when the Republic of Panama will assume full responsibility for the Canal.

### CHANGE IN FINANCIAL STRUCTURE

The Omnibus Reconciliation Act of 1987 (Public Law 100-203) replaced the special fund from which annual appropriations were made available for the Panama Canal Commission with a revolving fund, effective January 1, 1988. The effect of this change is to make the Commission's receipts directly available for authorized operating and capital expenditures without annual appropriations.

As a result of this change in financial structure, no appropriation for operating expenses or capital outlays is requested and none is recommended.

### Panama Canal Revolving Fund

### (Administrative Expenses)

| | |
|---|---|
| Appropriations, 1989 | ($50,287,000) |
| Budget estimate, 1990 | (49,855,000) |
| House allowance | (49,842,000) |
| Committee recommendation | (49,855,000) |

The Committee recommends an appropriation of $49,855,000, the same as the budget request and $13,000 above the House allowance. This account encompasses the following activities: executive direction, operations, financial management, personnel administration, and employment costs of a general nature which are not identifiable with other specific activities. Included in the latter activity are such items as reimbursement to the Department of Defense for education and hospital services, the Commission's share of employee health insurance premiums, et cetera.

### LIMITATION ON OBLIGATIONS FOR OPERATING AND CAPITAL EXPENSES

| | |
|---|---|
| Appropriations, 1989 | ($436,548,000) |
| Budget estimate, 1990 | |
| House allowance | (452,005,000) |
| Committee recommendation | (463,467,000) |

The Committee has retained House bill language limiting obligations for nonadministrative and capital projects, and has increased the limitation by $11,462,000, to $463,467,000.

Under the Panama Canal Act of 1979 (Public Law 96-70), the Commission is expected to be financially self-sufficient and to make certain payments to the Republic of Panama as specified in the Panama Canal Treaty of 1977.

## DEPARTMENT OF THE TREASURY

### Rebate of St. Lawrence Seaway Tolls

### (HARBOR MAINTENANCE TRUST FUND)

| | |
|---|---|
| Appropriations, 1989 | $10,700,000 |
| Budget estimate, 1990 | [1] 10,084,000 |
| House allowance | 10,050,000 |
| Committee recommendation | 10,050,000 |

[1] The bill language provides for rebate of "such sums as may be necessary", in order to reflect adjustments in toll revenues.

The Committee recommends $10,050,000 for the rebate of tolls paid by those commercial vessels using the St. Lawrence Seaway.

This payment is required under the Water Resources Development Act of 1986, Public Law 99-662.

Appropriations action is required for rebates to be made.

## WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

### INTEREST PAYMENTS

| | |
|---|---|
| Appropriations, 1989 | $51,663,569 |
| Budget estimate, 1990 | 51,663,569 |
| House allowance | 51,663,569 |
| Committee recommendation | 51,663,569 |

The full budget request of $51,663,569 for the Federal share of the interest payments on the bonded indebtedness of the Washington Metropolitan Area Transit Authority is recommended. This is the same as the House allowance and the budget request.

The bond repayment agreement between the Department of Transportation and the Authority establishes an overall two-thirds Federal and one-third local cost sharing arrangement. However, for the interest payments due on July 1, 1979 through July 1, 1982 the Federal Government was authorized to fund up to 85 percent of the cost. To the extent the Authority has utilized these additional Federal funds (up to 85 percent), repayment will be required no later than January 1993. Funding for the construction of the rail system is mentioned earlier in this report under the appropriation for the Urban Mass Transportation Administration.

## TITLE III—GENERAL PROVISIONS

The Committee concurs with the general provisions that apply to the Department and agencies funded through this legislation in fiscal year 1990 as approved by the House in H.R. 3015, with the following deletions or changes. Other changes are explained under the account or agency affected by the general provision.

### CHANGES, DELETIONS/REPLACEMENTS, NEW SECTIONS

SEC. 312. The Committee provides $1,500,000 for necessary expenses of advisory committees, instead of $400,000 as provided by the House.

SEC. 317. The Committee provides that UMTA shall publish items in the Federal Register every 45 days, instead of one publication within 14 days of enactment.

SEC. 321. The Committee replaces House proposed SLUC language with real property conveyance language concerning the St. Lawrence Seaway Development Corporation.

SEC. 323. The Committee replaces House proposed mass transit language with Hawaiian airport language.

SEC. 325. The Committee replaces House proposed language concerning compensation payments with language requiring a report on the use of deadly force.

SEC. 327. Committee language amends a House provision to allow the Secretary to provide up to 5 percent transfer authority for offices within the Office of the Secretary.

SEC. 329. The Committee replaces House proposed amendatory language to section 149 of the STAA of 1989 with language repealing reversionary language on land at the South Big Horn Country Airport, WY.

SEC. 330. The Committee replaces House proposed language concerning traffic separation schemes with language providing that the FAA Administrator may grant certain releases concerning an Hawaiian airport.

SEC. 333. The Committee clarifies House proposed language concerning the valuation of a California right of way.

SEC. 334. The Committee replaces House proposed language concerning the availability of appropriations with language concerning section 337 of Public Law 100–457.

SEC. 335. The Committee proposes changes to House language concerning smoking on airlines.

SEC. 337. The Committee adds language concerning the use of FHWA apportionments for on-the-job training.

SEC. 338. The Committee adds language concerning the use of safety rest areas for extraordinary State occasions.

SEC. 339. The Committee adds language concerning section 149 of Public Law 100–17.

SEC. 340. The Committee adds language providing that the Secretary should conduct an independent safety review of the New York Metropolitan Transportation Authority.

SEC. 341. The Committee adds language concerning the UMTA Administrator's authority to conduct project management oversight.

SEC. 342. The Committee adds language to require the Department to study the effect on consumers of State regulation of the rates, routes, and services of the express package industry and make recommendations to Congress.

SEC. 343. The Committee adds language providing that an agreement between Union Pacific Railroad Co. and an Idaho school district not be considered an abandonment.

SEC. 344. The Committee adds language restating 1989 language that Coast Guard operating expenses funds may be used to respond to oilspills.

SEC. 345. The Committee adds language providing that $2,000,000 shall be set aside from public lands highway funding for 1990 for the Chief Joseph Scenic Highway in Wyoming, before funds are otherwise allocated.

## COMPLIANCE WITH PARAGRAPH 7, RULE XVI, OF THE STANDING RULES OF THE SENATE

Paragraph 7 of rule XVI requires that Committee reports on general appropriations bills identify each Committee amendment to the House bill "which proposes an item of appropriation which is not made to carry out the provisions of an existing law, a treaty stipulation, or an act or resolution previously passed by the Senate during that session."

The Committee recommends, in its amendments to H.R. 3015, appropriations for certain highway projects in the Federal Highway Administration, certain operations of the Office of the Secretary, certain operations of the National Highway Traffic Safety Administration, the U.S. Coast Guard, certain programs in the Research and Special Programs Administration, and the Panama Canal Commission, for which authorizations for fiscal 1990 have not passed the Senate this session, or which lack enacted authorization.

## COMPLIANCE WITH PARAGRAPH 12, RULE XXVI OF THE STANDING RULES OF THE SENATE

Paragraph 12 of rule XXVI requires that Committee reports on a bill or joint resolution repealing or amending any statute or part of any statute include "(a) the text of the statute or part thereof which is proposed to be repealed; and (b) a comparative print of that part of the bill or joint resolution making the amendment and of the statute or part thereof proposed to be amended, showing by stricken-through type and italics, parallel columns, or other appropriate typographical devices the omissions and insertions which would be made by the bill or joint resolution if enacted in the form recommended by the committee."

In compliance with this rule, the following changes in existing law proposed to be made by the bill are shown as follows: existing law to be omitted is enclosed in black brackets; new matter is printed in italic; and existing law in which no change is proposed is shown in roman.

Public Law 100–223 is amended by inserting the following:

> *Notwithstanding section 106, subsection (a)(3)(B) of Public Law 100–223, the Airport and Airway Safety and Capacity Expansion Act of 1987, funds apportioned under such section for airports in the State of Hawaii may be made available by the Secretary for primary airports and airports described in section 508(d)(3) in such State.*

The Airport and Airway Expansion Act of 1970 is amended to read as follows:

> *Notwithstanding section 23 of the Airport and Airway Expansion Act of 1970 (as in effect on November 29, 1976), or any other provision of law, including obligations arising under grant agreements issued pursuant to the Airport and Airway Improvement Act of 1982, as amended, or implementing regulations, the Administrator of the Federal Aviation Administration is authorized, subject to the provisions of section 4 of the Act of October 1, 1949 (63 Stat. 700; 50 U.S.C. App 1622c), and the provisions of paragraph (2) of this subsection, to grant releases from any of the terms, conditions, reservations, and restrictions contained in the deed of conveyance, dated November 29, 1976, under which the United States conveyed certain property to the State of Hawaii for airport purposes.*
>
> *Any release granted by the Administrator pursuant to this subsection shall be subject to the following conditions:*
>
> *(A) The property for which a release is granted under this subsection shall not exceed 4,550.2 acres of submerged lands known as Keehi Lagoon as described in the quitclaim deed, dated November 29, 1976.*
>
> *(B) The property for which a release is granted shall not include submerged lands within an area 1,000 feet perpendicular to either side of the centerline of Runway 26L, extending 2,000 feet from the end of Runway 26L at the Honolulu International Airport.*
>
> *(C) The use of property to which such release applies shall not impede or interface with the safety of flight operations or otherwise derogate approach and clear zone protection at the Honolulu International Airport.*
>
> *(D) Any subsequent release or authorization for use of the property for other than airport purposes shall contain the right to overfly the property and the right to make noise.*

Section 404(d)(1) of the Federal Aviation Act of 1958, as amended, is amended as follows:

> (A) **[**“, if such flight is scheduled for two hours or less in duration”**]**
>
> (C) **[**“The provisions of paragraph (1) of this subsection are repealed effective on the expiration of the 28-month period following the date of enactment of this subsection.”**]**;

and, by inserting in subparagraph (A), after any scheduled airline flight:

*segment, in air transportation or intrastate air transportation, which is between any two places in the United States.*

Section 111 of title 23, United States Code, is amended by adding the following new subsection:

> *(c) STATE HISTORICAL OBSERVANCES.—Notwithstanding subsections (a) and (b) any State may operate concessions in safety rest areas located on rights-of-way of the Interstate System in conjunction with extraordinary State occasions such as centennial, sesquicentennial, and similar celebrations. Such activities are to be conducted at appropriate information centers so situated as to not interfere with the normal operations of a safety rest area. The State shall provide adequate information about such facilities to the Secretary sufficiently in advance of the occasion."*

Section 149(a)(14)(B) of Public Law 100–17 is amended as follows:

> No Federal assistance shall be provided to carry out the demonstration project under this paragraph until private sources dedicate [at least] 2.5 acres of land as a scenic easement for project purposes.

Section 337 of Public Law 100–457 is amended to read as follows:

> Notwithstanding any other provision of law, when a commuter rail service has been suspended for safety reasons, and when a statewide or regional agency or instrumentality commits to restoring such service by the end of 1989, and when the improvements needed to restore such service are funded without Urban Mass Transportation Administration funding, the directional route miles of such service shall be included *for the purpose of calculating the fiscal year 1990 section 9 apportionment*, as well as the apportionment for subsequent years. If such service is not restored by the end of 1989, the money received as a result of the inclusion of the directional route miles shall be returned to the disbursing agency, the Urban Mass Transportation Administration.

Section 16 of the Federal Airport Act of 1946 is amended to read as follows:

> *Notwithstanding section 16 of the Federal Airport Act of 1946 or any other provision of law, the United States hereby releases the right or reversion of the United States on 7.8 acres of land at the South Big Horn Country Airport in Wyoming proposed to be transferred to the Wyoming State Highway Department provided such land is used for a highway rest area.*

## BUDGETARY IMPACT OF BILL

## PREPARED BY THE CONGRESSIONAL BUDGET OFFICE PURSUANT TO SEC. 308(a), PUBLIC LAW 93-344, AS AMENDED

[In millions of dollars]

| | Budget authority | | Outlays | |
|---|---|---|---|---|
| | Committee allocation | Amount of bill | Committee allocation | Amount of bill |
| Comparison of amounts in the bill with the Committee allocation to its subcommittees of amounts in the First Concurrent Resolution for 1990: Subcommittee on Transportation and Related Agencies | 11,956 | 11,938 | 27,909 | [1] 27,909 |
| Projections of outlays associated with budget authority recommended in the bill: | | | | |
| 1990 | | | | [2] 10,186 |
| 1991 | | | | 2,040 |
| 1992 | | | | 1,076 |
| 1993 | | | | 688 |
| 1994 and future year | | | | 796 |
| Financial assistance to State and local governments for 1990 in the bill | | 2,113 | | 3,473 |
| | Direct loans | | Loan guarantees | |
| Credit authority estimates, fiscal year 1990 | 46 | 48 | | |

[1] Includes outlays from prior-year budget authority.
[2] Excludes outlays from prior-year budget authority.

# COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1989 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1990

[Amounts in dollars]

| Item (1) | 1989 appropriation (2) | Budget estimate (3) | House allowance (4) | Committee recom-mendation (5) | Senate committee recommendation compared with (+ or –) 1989 appropriation (6) | Budget estimate (7) | House allowance (8) |
|---|---|---|---|---|---|---|---|
| TITLE I - DEPARTMENT OF TRANSPORTATION | | | | | | | |
| Office of the Secretary | | | | | | | |
| Salaries and expenses | --- | 56,481,000 | --- | 56,470,000 | +56,470,000 | -11,000 | +56,470,000 |
| Immediate Office of the Secretary | 1,071,000 | --- | 1,090,000 | --- | -1,071,000 | --- | -1,090,000 |
| Immediate Office of the Deputy Secretary | 464,000 | --- | 470,000 | --- | -464,000 | --- | -470,000 |
| Office of the General Counsel | 6,000,000 | --- | 6,250,000 | --- | -6,000,000 | --- | -6,250,000 |
| Office of the Assistant Secretary for Policy and International Affairs | 7,950,000 | --- | 8,595,000 | --- | -7,950,000 | --- | -8,595,000 |
| Office of the Assistant Secretary for Budget and Programs | 2,241,000 | --- | 2,290,000 | --- | -2,241,000 | --- | -2,290,000 |
| Office of the Assistant Secretary for Governmental Affairs | 2,265,000 | --- | 2,300,000 | --- | -2,265,000 | --- | -2,300,000 |
| Office of the Assistant Secretary for Administration | 24,300,000 | --- | 24,700,000 | --- | -24,300,000 | --- | -24,700,000 |
| Office of the Assistant Secretary for Public Affairs | 1,455,000 | --- | 1,290,000 | --- | -1,455,000 | --- | -1,290,000 |
| Executive Secretariat | 824,000 | --- | 835,000 | --- | -824,000 | --- | -835,000 |
| Contract Appeals Board | 440,000 | --- | 450,000 | --- | -440,000 | --- | -450,000 |
| Office of Civil Rights | 1,305,000 | --- | 1,315,000 | --- | -1,305,000 | --- | -1,315,000 |
| Office of Commercial Space Transportation | 585,000 | --- | 645,000 | --- | -585,000 | --- | -645,000 |
| Office of Essential Air Service | 1,727,000 | --- | 1,127,000 | --- | -1,727,000 | --- | -1,127,000 |
| Office of Small and Disadvantaged Business Utilization | 3,915,000 | --- | 3,500,000 | --- | -3,915,000 | --- | -3,500,000 |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Subtotal, Salaries and expenses | 54,542,000 | 56,481,000 | 54,857,000 | 56,470,000 | +1,928,000 | -11,000 | +1,613,000 |
| Transportation planning, research, and development | 5,600,000 | 8,126,000 | 6,200,000 | 8,000,000 | +2,400,000 | -126,000 | +1,800,000 |
| Working capital fund | 3,200,000 | 6,150,000 | 4,500,000 | 4,500,000 | +1,300,000 | -1,650,000 | --- |
| (Limitation on working capital fund) | (130,350,000) | (144,400,000) | (131,000,000) | (144,400,000) | (+14,050,000) | --- | (+13,400,000) |
| Payments to air carriers | 31,600,000 | --- | 12,400,000 | 35,530,000 | +3,930,000 | +35,530,000 | +23,130,000 |
| Commission on Aviation Security and Terrorism | --- | --- | --- | 1,200,000 | +1,200,000 | +1,200,000 | +1,200,000 |
| Total, Office of the Secretary | 94,942,000 | 70,757,000 | 77,957,000 | 105,700,000 | +10,758,000 | +34,943,000 | +27,743,000 |
| Coast Guard | | | | | | | |
| Operating expenses | 1,912,116,000 | 2,252,200,000 | 1,952,000,000 | 1,952,000,000 | +39,884,000 | -300,200,000 | --- |
| (By transfer) | (4,500,000) | --- | --- | --- | (-4,500,000) | --- | --- |
| Funds included in Department of Defense Appropriations Act, 1989 (by transfer) | (206,000,000) | --- | --- | --- | (-206,000,000) | --- | --- |
| Acquisition, construction, and improvements | 295,000,000 | 682,300,000 | 423,800,000 | 455,200,000 | +160,200,000 | -227,100,000 | +31,400,000 |
| Funds included in Military Construction Appropriations Act, 1989 | (50,300,000) | --- | --- | --- | (-50,300,000) | --- | --- |
| Alteration of bridges | 8,500,000 | 2,330,000 | 2,330,000 | 2,330,000 | -6,170,000 | --- | --- |
| (By transfer) | (5,000,000) | --- | --- | --- | (-5,000,000) | --- | --- |
| Retired pay | 410,800,000 | 420,800,000 | 420,800,000 | 420,800,000 | +10,000,000 | --- | --- |
| Reserve training | 67,000,000 | 73,800,000 | 71,800,000 | 73,800,000 | +6,800,000 | --- | +2,000,000 |
| Research, development, test, and evaluation | 18,800,000 | 19,000,000 | 18,800,000 | 22,800,000 | +4,000,000 | +3,800,000 | +4,000,000 |
| Offshore oil pollution compensation fund (limitation) | (60,000,000) | (60,000,000) | (60,000,000) | (60,000,000) | --- | --- | --- |
| Deepwater port liability fund (limitation) | (50,000,000) | (50,000,000) | (50,000,000) | (50,000,000) | --- | --- | --- |
| Boat safety (Aquatic Resources Trust Fund) | --- | --- | --- | 30,000,000 | +30,000,000 | +30,000,000 | +30,000,000 |
| (Liquidation of contract authorization) | (30,000,000) | (15,000,000) | (30,000,000) | --- | (-30,000,000) | (-15,000,000) | (-30,000,000) |
| (Limitation on obligations) | (30,000,000) | (15,000,000) | (30,000,000) | --- | (-30,000,000) | (-15,000,000) | (-30,000,000) |
| Total, Coast Guard: | | | | | | | |
| New budget (obligational) authority | 2,712,216,000 | 3,450,430,000 | 2,889,530,000 | 2,956,930,000 | +244,714,000 | -493,500,000 | +67,400,000 |
| (DoD transfer) | (256,300,000) | --- | --- | --- | (-256,300,000) | --- | --- |
| (Limitations on obligations) | (30,000,000) | (15,000,000) | (30,000,000) | --- | (-30,000,000) | (-15,000,000) | (-30,000,000) |
| Total | (2,998,516,000) | (3,465,430,000) | (2,919,530,000) | (2,956,930,000) | (-41,586,000) | (-508,500,000) | (+37,400,000) |

## COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1989 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1990—Continued

[Amounts in dollars]

| Item (1) | 1989 appropriation (2) | Budget estimate (3) | House allowance (4) | Committee recommendation (5) | Senate committee recommendation compared with (+ or −): 1989 appropriation (6) | Budget estimate (7) | House allowance (8) |
|---|---|---|---|---|---|---|---|
| Federal Aviation Administration | | | | | | | |
| Headquarters administration | 36,600,000 | --- | --- | --- | -36,600,000 | --- | --- |
| Operations | 3,410,000,000 | 3,923,000,000 | 3,836,000,000 | 3,865,000,000 | +455,000,000 | -58,000,000 | +29,000,000 |
| (By transfer) | (10,000,000) | (10,000,000) | (10,000,000) | (10,000,000) | --- | --- | --- |
| Subtotal, Headquarters administration and operations | 3,446,600,000 | 3,923,000,000 | 3,836,000,000 | 3,865,000,000 | +418,400,000 | -58,000,000 | +29,000,000 |
| Facilities and equipment (Airport and Airway Trust Fund) | 1,384,528,000 | 1,955,000,000 | 1,732,000,000 | 1,780,131,000 | +395,603,000 | -174,869,000 | +48,131,000 |
| Research, engineering, and development (Airport and Airway Trust Fund) | 160,000,000 | 165,000,000 | 185,000,000 | 173,000,000 | +13,000,000 | +8,000,000 | -12,000,000 |
| Grants-in-aid for airports (Airport and Airway Trust Fund): | | | | | | | |
| (Liquidation of contract authority) | (1,150,000,000) | (1,166,000,000) | (1,190,000,000) | (1,190,000,000) | (+40,000,000) | (+24,000,000) | --- |
| (Limitation on obligations) | (1,400,000,000) | (1,350,000,000) | (1,500,000,000) | (1,500,000,000) | (+100,000,000) | (+150,000,000) | --- |
| Rescission of contract authority | -100,000,000 | --- | --- | --- | +100,000,000 | --- | --- |
| Aircraft purchase loan guarantee program: | | | | | | | |
| (Limitation on borrowing authority) | (50,000,000) | (57,000,000) | (50,000,000) | (10,000,000) | (-40,000,000) | (-47,000,000) | (-40,000,000) |
| Appropriations | --- | --- | --- | --- | --- | --- | --- |
| Portion applied to debt reduction | --- | --- | --- | --- | --- | --- | --- |
| Total, Federal Aviation Administration: | | | | | | | |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| New budget (obligational) authority | 4,891,128,000 | 6,043,000,000 | 5,753,000,000 | 5,818,131,000 | +927,003,000 | -224,869,000 | +65,131,000 |
| (Limitations on obligations) | (1,400,000,000) | (1,350,000,000) | (1,500,000,000) | (1,500,000,000) | (+100,000,000) | (+150,000,000) | --- |
| Total | (6,291,128,000) | (7,393,000,000) | (7,253,000,000) | (7,318,131,000) | (+1,027,003,000) | (-74,869,000) | (+65,131,000) |
| Federal Highway Administration | | | | | | | |
| (Limitation on general operating expenses) | (217,350,000) | (228,246,000) | (222,600,000) | (236,896,000) | (+19,546,000) | (+8,650,000) | (+14,296,000) |
| Highway safety research and development (Highway Trust Fund) | 6,080,000 | --- | 6,080,000 | --- | -6,080,000 | --- | -6,080,000 |
| Highway-related safety programs (Highway Trust Fund): | | | | | | | |
| (Liquidation of contract authorization) | (10,000,000) | (10,000,000) | (9,405,000) | (10,000,000) | --- | --- | (+595,000) |
| (Limitation on obligations) | (9,405,000) | (10,000,000) | (9,405,000) | (9,405,000) | --- | (-595,000) | --- |
| Railroad-highway crossings demonstration projects | 7,560,000 | --- | 15,000,000 | 7,700,000 | +140,000 | +7,700,000 | -7,300,000 |
| Federal-aid highways (Highway Trust Fund): | | | | | | | |
| (Limitation on obligations) | (12,000,000,000) | (11,310,000,000) | (12,463,500,000) | (12,050,000,000) | (+50,000,000) | (+740,000,000) | (-413,500,000) |
| (Liquidation of contract authorization) | (12,700,000,000) | (13,660,000,000) | (13,660,000,000) | (13,660,000,000) | (+960,000,000) | --- | --- |
| Right-of-way Revolving Fund (limitation on direct loans) (Highway Trust Fund) | (46,000,000) | (47,850,000) | (42,500,000) | (47,850,000) | (+1,850,000) | --- | (+5,350,000) |
| Motor carrier safety | 27,000,000 | 32,190,000 | 32,190,000 | 33,690,000 | +6,690,000 | +1,500,000 | +1,500,000 |
| Motor carrier safety grants (Highway Trust Fund): | | | | | | | |
| (Liquidation of contract authorization) | (50,000,000) | (52,000,000) | (52,000,000) | (52,000,000) | (+2,000,000) | --- | --- |
| (Limitation on obligations) | (60,000,000) | (60,000,000) | (60,200,000) | (60,000,000) | --- | --- | (-200,000) |
| Access highways to public recreation areas on certain lakes | 1,291,000 | --- | --- | --- | -1,291,000 | --- | --- |
| Baltimore-Washington Parkway (Highway Trust Fund) | 12,825,000 | --- | 12,000,000 | --- | -12,825,000 | --- | -12,000,000 |
| Intermodal urban demonstration project (Highway Trust Fund) | 8,550,000 | --- | 10,000,000 | --- | -8,550,000 | --- | -10,000,000 |
| Highway safety and economic development demonstration projects (Highway Trust Fund) | 8,550,000 | --- | 12,000,000 | --- | -8,550,000 | --- | -12,000,000 |
| Airport access demonstration project (Highway Trust Fund) | 1,300,000 | --- | --- | --- | -1,300,000 | --- | --- |
| Highway safety improvement demonstration project (Highway Trust Fund) | 1,260,000 | --- | 11,000,000 | --- | -1,260,000 | --- | -11,000,000 |
| Highway-railroad grade crossing safety demonstration project (Highway Trust Fund) | 8,100,000 | --- | 9,500,000 | --- | -8,100,000 | --- | -9,500,000 |

## COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1989 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1990—Continued

[Amounts in dollars]

| Item (1) | 1989 appropriation (2) | Budget estimate (3) | House allowance (4) | Committee recommendation (5) | Senate committee recommendation compared with (+ or –) | | |
|---|---|---|---|---|---|---|---|
| | | | | | 1989 appropriation (6) | Budget estimate (7) | House allowance (8) |
| Nuclear waste transportation safety demonstration project (Highway Trust Fund) | 3,600,000 | --- | --- | --- | -3,600,000 | --- | --- |
| Highway widening demonstration project | 1,800,000 | --- | 2,000,000 | --- | -1,800,000 | --- | -2,000,000 |
| Bridge improvement demonstration project | 8,550,000 | --- | 4,000,000 | --- | -8,550,000 | --- | -4,000,000 |
| Highway widening and improvement demonstration project | 4,100,000 | --- | 5,000,000 | --- | -4,100,000 | --- | -5,000,000 |
| Intersection safety demonstration project | 900,000 | --- | --- | --- | -900,000 | --- | --- |
| Highway capacity improvement demonstration project | 900,000 | --- | 100,000 | --- | -900,000 | --- | -100,000 |
| Climbing lane safety demonstration project | 450,000 | --- | 2,500,000 | --- | -450,000 | --- | -2,500,000 |
| Indiana industrial corridor safety demonstration project | 1,000,000 | --- | 2,400,000 | --- | -1,000,000 | --- | -2,400,000 |
| Oklahoma highway widening demonstration project | 400,000 | --- | 2,500,000 | --- | -400,000 | --- | -2,500,000 |
| Alabama highway bypass demonstration project | 3,600,000 | --- | 8,300,000 | --- | -3,600,000 | --- | -8,300,000 |
| Kentucky bridge demonstration project | 3,600,000 | --- | 5,000,000 | --- | -3,600,000 | --- | -5,000,000 |
| Virginia HOV safety demonstration project | 500,000 | --- | 4,650,000 | --- | -500,000 | --- | -4,650,000 |
| Urban highway corridor demonstration project | 225,000 | --- | 4,500,000 | --- | -225,000 | --- | -4,500,000 |
| Urban airport access safety demonstration project | 225,000 | --- | 5,000,000 | --- | -225,000 | --- | -5,000,000 |
| Ebensburg bypass demonstration project | --- | --- | 13,740,000 | --- | --- | --- | -13,740,000 |
| Bridge rehabilitation demonstration project | --- | --- | 350,000 | --- | --- | --- | -350,000 |
| Highway demonstration projects - preliminary engineering | --- | --- | 12,400,000 | --- | --- | --- | -12,400,000 |
| Corridor safety improvement project (Highway Trust Fund) | 28,000,000 | --- | --- | 17,300,000 | -10,700,000 | +17,300,000 | +17,300,000 |
| Bridge capacity improvements (Highway Trust Fund) | 3,763,000 | --- | --- | 4,000,000 | +237,000 | +4,000,000 | +4,000,000 |
| Corridor H improvement project | 16,000,000 | --- | --- | 32,000,000 | +16,000,000 | +32,000,000 | +32,000,000 |
| Road extension demonstration | 600,000 | --- | --- | 11,000,000 | +10,400,000 | +11,000,000 | +11,000,000 |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Des Moines inner loop demonstration | --- | --- | --- | 2,800,000 | +2,800,000 | +2,800,000 | +2,800,000 |
| Corridor G improvement project | --- | --- | --- | 10,000,000 | +10,000,000 | +10,000,000 | +10,000,000 |
| Corning bypass safety demonstration project | --- | --- | --- | 20,000,000 | +20,000,000 | +20,000,000 | +20,000,000 |
| Spring Mountain demonstration project | --- | --- | --- | 2,200,000 | +2,200,000 | +2,200,000 | +2,200,000 |
| Manhattan Bridge replacement project | --- | --- | --- | 3,210,000 | +3,210,000 | +3,210,000 | +3,210,000 |
| Junction City accleration/deceleration lane demonstration project | --- | --- | --- | 400,000 | +400,000 | +400,000 | +400,000 |
| Bridge restoration | 2,000,000 | --- | --- | --- | -2,000,000 | --- | --- |
| Reservation road | 3,500,000 | --- | --- | --- | -3,500,000 | --- | --- |
| Total, Federal Highway Administration: | | | | | | | |
| New budget (obligational) authority | 166,229,000 | 32,190,000 | 180,210,000 | 144,300,000 | -21,929,000 | +112,110,000 | -35,910,000 |
| (Limitations on obligations) | (12,069,405,000) | (11,380,000,000) | (12,533,105,000) | (12,119,405,000) | (+50,000,000) | (+739,405,000) | (-413,700,000) |
| Total | (12,235,634,000) | (11,412,190,000) | (12,713,315,000) | (12,263,705,000) | (+28,071,000) | (+851,515,000) | (-449,610,000) |
| National Highway Traffic Safety Administration | | | | | | | |
| Operations and research | 67,899,000 | 74,933,000 | 71,684,000 | 78,400,000 | +10,501,000 | +3,467,000 | +6,716,000 |
| Operations and research (Highway Trust Fund) | 30,751,000 | 31,772,000 | 32,316,000 | 31,772,000 | +1,021,000 | --- | -544,000 |
| Subtotal, Operations and research | 98,650,000 | 106,705,000 | 104,000,000 | 110,172,000 | +11,522,000 | +3,467,000 | +6,172,000 |
| Highway traffic safety grants (Highway Trust Fund) | | | | | | | |
| (Liquidation of contract authorization) | (130,500,000) | (132,000,000) | (132,000,000) | (132,000,000) | (+1,500,000) | --- | --- |
| State and community highway safety grants: (Limitation on obligations) | (115,000,000) | (115,000,000) | (115,000,000) | (115,000,000) | --- | --- | --- |
| Alcohol safety incentive grants: (Limitation on obligations) | (11,000,000) | (13,500,000) | (11,000,000) | (11,000,000) | --- | (-2,500,000) | --- |
| Education grants (Sec. 209): (Cumulative limitation on obligations) | --- | (4,750,000) | (4,750,000) | (4,750,000) | (+4,750,000) | --- | --- |
| Total, National Highway Traffic Safety Administration: | | | | | | | |
| New budget (obligational) authority | 98,650,000 | 106,705,000 | 104,000,000 | 110,172,000 | +11,522,000 | +3,467,000 | +6,172,000 |
| (Limitations on obligations) | (126,000,000) | (128,500,000) | (126,000,000) | (126,000,000) | --- | (-2,500,000) | --- |
| Total | (224,650,000) | (235,205,000) | (230,000,000) | (236,172,000) | (+11,522,000) | (+967,000) | (+6,172,000) |

## COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1989 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1990—Continued

[Amounts in dollars]

| Item (1) | 1989 appropriation (2) | Budget estimate (3) | House allowance (4) | Committee recommendation (5) | Senate committee recommendation compared with (+ or −) | | |
|---|---|---|---|---|---|---|---|
| | | | | | 1989 appropriation (6) | Budget estimate (7) | House allowance (8) |
| Federal Railroad Administration | | | | | | | |
| Office of the Administrator | 20,975,000 | 15,180,000 | 14,400,000 | 15,144,000 | -5,831,000 | -36,000 | +744,000 |
| (By transfer) | (4,000,000) | --- | --- | --- | (-4,000,000) | --- | --- |
| Local rail service assistance | --- | --- | --- | 7,000,000 | +7,000,000 | +7,000,000 | +7,000,000 |
| Railroad safety | 27,825,000 | 30,307,000 | 31,900,000 | 32,057,000 | +4,232,000 | +1,750,000 | +157,000 |
| Railroad research and development | 9,286,000 | 9,277,000 | 9,600,000 | 9,277,000 | -9,000 | --- | -323,000 |
| Northeast corridor improvement program | 19,600,000 | --- | 19,600,000 | 30,000,000 | +10,400,000 | +30,000,000 | +10,400,000 |
| Grants to the National Railroad Passenger Corporation | 584,000,000 | --- | 615,000,000 | --- | -584,000,000 | --- | -615,000,000 |
| Operations | --- | --- | --- | 530,000,000 | +530,000,000 | +530,000,000 | +530,000,000 |
| Capital | --- | --- | --- | 85,000,000 | +85,000,000 | +85,000,000 | +85,000,000 |
| Railroad Rehabilitation and Improvement Financing Funds: (Railroad credit enhancement) | (99,000,000) | (15,000,000) | (50,000,000) | (50,000,000) | (-49,000,000) | (+35,000,000) | --- |
| Regional rail reorganization program | --- | 101,577,979 | 101,577,979 | 101,577,979 | +101,577,979 | --- | --- |
| Portion applied to debt reduction | --- | -94,932,979 | -94,932,979 | -94,932,979 | -94,932,979 | --- | --- |
| Conrail commuter transition assistance | 4,500,000 | --- | 5,000,000 | --- | -4,500,000 | --- | -5,000,000 |
| Amtrak corridor improvement loans | --- | --- | 3,500,000 | --- | --- | --- | -3,500,000 |
| (Loan authorization) | --- | --- | (3,500,000) | --- | | --- | (-3,500,000) |
| Total, Federal Railroad Administration | 666,186,000 | 61,409,000 | 705,645,000 | 715,123,000 | +48,937,000 | +653,714,000 | +9,478,000 |
| Urban Mass Transportation Administration | | | | | | | |
| Administrative expenses | 31,882,000 | --- | 31,809,000 | 31,880,000 | -2,000 | +31,880,000 | +71,000 |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Research, training, and human resources | 10,000,000 | --- | 10,000,000 | 10,000,000 | --- | +10,000,000 | --- |
| Formula grants | 1,605,000,000 | --- | 1,705,000,000 | 1,605,000,000 | --- | +1,605,000,000 | -100,000,000 |
| Formula transit grants (Highway Trust Fund) (limitation on obligations) | --- | (1,523,000,000) | --- | --- | --- | (-1,523,000,000) | --- |
| Discretionary grants (Highway Trust Fund) (limitation on obligations) | (1,140,000,000) | --- | (1,140,000,000) | (1,140,000,000) | --- | (+1,140,000,000) | --- |
| Mass transit capital fund (Highway Trust Fund) (liquidation of contract authorization) | (400,000,000) | (900,000,000) | (900,000,000) | (900,000,000) | (+500,000,000) | --- | --- |
| Interstate transfer grants - transit | 200,000,000 | --- | 180,000,000 | 160,000,000 | -40,000,000 | +160,000,000 | -20,000,000 |
| Washington Metro | 168,000,000 | 42,000,000 | 100,000,000 | 73,400,000 | -94,600,000 | +31,400,000 | -26,600,000 |
| Total, Urban Mass Transportation Administration: | | | | | | | |
| New budget (obligational) authority | 2,014,882,000 | 42,000,000 | 2,026,809,000 | 1,880,280,000 | -134,602,000 | +1,838,280,000 | -146,529,000 |
| (Limitations on obligations) | (1,140,000,000) | (1,523,000,000) | (1,140,000,000) | (1,140,000,000) | --- | (-383,000,000) | --- |
| Total | (3,154,882,000) | (1,565,000,000) | (3,166,809,000) | (3,020,280,000) | (-134,602,000) | (+1,455,280,000) | (-146,529,000) |
| Saint Lawrence Seaway Development Corporation | | | | | | | |
| Operations and maintenance (Harbor Maintenance Trust Fund) | 11,100,000 | 11,788,000 | 11,750,000 | 11,100,000 | --- | -688,000 | -650,000 |
| Research and Special Programs Administration | | | | | | | |
| Research and special programs | 14,800,000 | 17,541,000 | 16,800,000 | 14,715,000 | -85,000 | -2,826,000 | -2,085,000 |
| Pipeline safety (Pipeline Safety Fund) | 9,300,000 | 9,848,000 | 10,325,000 | 9,277,000 | -23,000 | -571,000 | -1,048,000 |
| Total, Reseach and Special Programs Administration | 24,100,000 | 27,389,000 | 27,125,000 | 23,992,000 | -108,000 | -3,397,000 | -3,133,000 |
| Office of the Inspector General | | | | | | | |
| Salaries and expenses | 29,000,000 | 32,475,000 | 32,100,000 | 32,100,000 | +3,100,000 | -375,000 | --- |
| Total, title I, Department of Transportation: | | | | | | | |
| New budget (obligational) authority (net) | 10,708,433,000 | 9,878,143,000 | 11,808,126,000 | 11,797,828,000 | +1,089,395,000 | +1,919,685,000 | -10,298,000 |
| Appropriations | (10,808,433,000) | (9,973,075,979) | (11,903,058,979) | (11,892,760,979) | (+1,084,327,979) | (+1,919,685,000) | (-10,298,000) |

## COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1989 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1990–Continued

[Amounts in dollars]

| Item (1) | 1989 appropriation (2) | Budget estimate (3) | House allowance (4) | Committee recommendation (5) | Senate committee recommendation compared with (+ or −) | | |
|---|---|---|---|---|---|---|---|
| | | | | | 1989 appropriation (6) | Budget estimate (7) | House allowance (8) |
| Appropriations for debt reduction | --- | (-94,932,979) | (-94,932,979) | (-94,932,979) | (-94,932,979) | --- | --- |
| Rescission | (-100,000,000) | --- | --- | --- | (+100,000,000) | --- | --- |
| (DoD transfer) | (256,300,000) | --- | --- | --- | (-256,300,000) | --- | --- |
| (By transfer) | (23,500,000) | (10,000,000) | (10,000,000) | (10,000,000) | (-13,500,000) | --- | --- |
| (Limitations on obligations) | (14,765,405,000) | (14,396,500,000) | (15,329,105,000) | (14,885,405,000) | (+120,000,000) | (+488,905,000) | (-443,700,000) |
| (Appropriations to liquidate contract authorizations) | (14,470,500,000) | (15,935,000,000) | (15,973,405,000) | (15,944,000,000) | (+1,473,500,000) | (+9,000,000) | (-29,405,000) |
| Total, title I, New budget (obligational) authority, (DoD transfer) and (limitations on obligations) | (25,583,838,000) | (24,274,643,000) | (27,137,231,000) | (26,304,328,000) | (+720,490,000) | (+2,029,685,000) | (-832,903,000) |
| TITLE II - RELATED AGENCIES | | | | | | | |
| Architectural and Transportation Barriers Compliance Board | | | | | | | |
| Salaries and expenses | 1,891,000 | 2,000,000 | 1,950,000 | 1,950,000 | +59,000 | -50,000 | --- |
| National Transportation Safety Board | | | | | | | |
| Salaries and expenses | 25,360,000 | 25,967,000 | 26,600,000 | 28,000,000 | +2,640,000 | +2,033,000 | +1,400,000 |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Interstate Commerce Commission | | | | | | | |
| Salaries and expenses | 43,115,000 | 44,689,000 | 43,860,000 | 42,863,000 | -252,000 | -1,826,000 | -997,000 |
| Payments for directed rail service (limitation on obligations) | (475,000) | (475,000) | (475,000) | (475,000) | --- | --- | --- |
| Total, Interstate Commerce Commission | (43,590,000) | (45,164,000) | (44,335,000) | (43,338,000) | (-252,000) | (-1,826,000) | (-997,000) |
| Panama Canal Commission | | | | | | | |
| Panama Canal Revolving Fund: | | | | | | | |
| (Administrative expenses) | (50,287,000) | (49,855,000) | (49,842,000) | (49,855,000) | (-432,000) | --- | (+13,000) |
| (Limitation on operating and capital expenses) | (436,548,000) | --- | (452,005,000) | (463,467,000) | (+26,919,000) | (+463,467,000) | (+11,462,000) |
| Department of the Treasury | | | | | | | |
| Rebate of Saint Lawrence Seaway Tolls (Harbor Maintenance Trust Fund) | 10,700,000 | 10,084,000 | 10,050,000 | 10,050,000 | -650,000 | -34,000 | --- |
| Washington Metropolitan Area Transit Authority | | | | | | | |
| Interest payments | 51,663,569 | 51,663,569 | 51,663,569 | 51,663,569 | --- | --- | --- |
| Total, title II, Related Agencies: | | | | | | | |
| New budget (obligational) authority | 132,729,569 | 134,403,569 | 134,123,569 | 134,526,569 | +1,797,000 | +123,000 | +403,000 |
| (Limitation on obligations) | (475,000) | (475,000) | (475,000) | (475,000) | --- | --- | --- |
| Total | (133,204,569) | (134,878,569) | (134,598,569) | (135,001,569) | (+1,797,000) | (+123,000) | (+403,000) |
| TITLE III - GENERAL PROVISIONS | | | | | | | |
| International Zaragosa Bridge | 3,000,000 | --- | --- | --- | -3,000,000 | --- | --- |
| Rescission | -3,000,000 | --- | --- | --- | +3,000,000 | --- | --- |
| Alabama Feasibility Study | 675,000 | --- | --- | --- | -675,000 | --- | --- |
| Expressway safety improvement demonstration project | 2,600,000 | --- | --- | --- | -2,600,000 | --- | --- |
| Airport emergency relief | 100,000 | --- | --- | --- | -100,000 | --- | --- |
| Wisconsin rail service | 6,000,000 | --- | --- | --- | -6,000,000 | --- | --- |

# COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1989 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1990—Continued

[Amounts in dollars]

| Item (1) | 1989 appropriation (2) | Budget estimate (3) | House allowance (4) | Committee recommendation (5) | Senate committee recommendation compared with (+ or −) | | |
|---|---|---|---|---|---|---|---|
| | | | | | 1989 appropriation (6) | Budget estimate (7) | House allowance (8) |
| Consultant services (sec. 347) | -34,171,000 | --- | --- | --- | +34,171,000 | --- | --- |
| Total, title III, General Provisions: | | | | | | | |
| New budget (obligational) authority (net) | -24,796,000 | --- | --- | --- | +24,796,000 | --- | --- |
| Appropriations | (-21,796,000) | --- | --- | --- | (+21,796,000) | --- | --- |
| Rescission | (-3,000,000) | --- | --- | --- | (+3,000,000) | --- | --- |
| Grand total: | | | | | | | |
| New budget (obligational) authority (net) | 10,816,366,569 | 10,012,546,569 | 11,942,249,569 | 11,932,354,569 | +1,115,988,000 | +1,919,808,000 | -9,895,000 |
| Appropriations | (10,919,366,569) | (10,107,479,548) | (12,037,182,548) | (12,027,287,548) | (+1,107,920,979) | (+1,919,808,000) | (-9,895,000) |
| Appropriations for debt reduction | --- | (-94,932,979) | (-94,932,979) | (-94,932,979) | (-94,932,979) | --- | --- |
| Rescissions | (-103,000,000) | --- | --- | --- | (+103,000,000) | --- | --- |
| (DoD transfer) | (256,300,000) | --- | --- | --- | (-256,300,000) | --- | --- |
| (By transfer) | (23,500,000) | (10,000,000) | (10,000,000) | (10,000,000) | (-13,500,000) | --- | --- |
| (Limitations on obligations) | (14,765,880,000) | (14,396,975,000) | (15,329,580,000) | (14,885,880,000) | (+120,000,000) | (+488,905,000) | (-443,700,000) |
| (Appropriations to liquidate contract authorizations) | (14,470,500,000) | (15,935,000,000) | (15,973,405,000) | (15,944,000,000) | (+1,473,500,000) | (+9,000,000) | (-29,405,000) |
| Grand total, New budget (obligational) authority, (DoD transfer) and (limitations on obligations) | (25,692,246,569) | (24,409,521,569) | (27,271,829,569) | (26,438,854,569) | (+746,608,000) | (+2,029,333,000) | (-832,975,000) |